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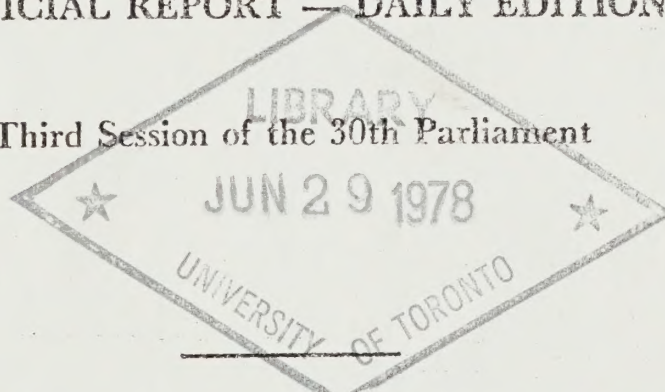
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Evening Session

Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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Hon. Mr. Handleman: Mr. Chairman, it is a very hypothetical thing. We've had I think, six failures since the Act went into effect. The fund has never reached anything close to \$1 million but it has been ample. At least two of the failures could be designated as medium-large, The Blue Vista and the Sand Pebbles were both relatively important failures, yet the total amount of claims on the fund is still under \$300,000 and it has a balance of well over \$300,000. The amendment that we have in section 2 of the Act is to bring it up to \$1 million and then if it comes below that, to be able to provide another assessment.

The way the Act was read it was an oversight, that if it never got up to \$1 million then you couldn't get another assessment even if it went broke. So at the present time we feel there is ample protection there. We've looked at the largest tour operator in Canada, the one that would really provide the biggest drain on the fund at Christmas time, and there's no question that \$1 million would be pretty close to the line.

On the other hand, we would expect that if a large tour operator like that were to go under, we would get the co-operation of the industry in ensuring consumers did not suffer, and I think we would probably have to go after their principals, who happen to be one of the major banks in the country.

Mr. Shore: Just one more question. I don't want to leave the impression that I'm a purveyor of gloom and doom because I do have confidence generally, until proved otherwise, in the enterprise of the industry. But are you satisfied—I assume you are—that the fact you're bringing in travel agencies and broadening this, which I think is right, is not going to have any undue influence on the dollar involvement here?

Hon. Mr. Handleman: No. As a matter of fact, we think that this will be very helpful because a travel agent, in claiming on the fund, can only claim the net amount of his account, which is the gross amount paid by the consumer less his commission. So the travel agent's claim would be less than that of the traveller, and we think it could help keep the fund liquid.

Mr. Cunningham: I can only concur with what my colleague from London North has said on the possibility of insolvency with regard to the travel agencies. It would appear that the ministry has taken the appropriate measures to ensure the people of Ontario be protected. Nevertheless, I think that given the

scope and the largesse of some of the larger agencies that we have in the province, we shouldn't allow it to go past us without recognizing the possibility, at least, that even one of the larger ones may in fact go bankrupt at some time.

(The member for Fort William I think very appropriately raises a good point on the possibility of an appeal process. All I can say to you at this time during this reading of the bill is that I would hope that you would use your influence on the board, that they, in the spirit of co-operation, on a very objective basis, regulate themselves so that we in the Legislature will not be required to come back at some later date to set up, on a legal basis, some form of appeal process.

I'm sure all members of the Legislature, in all parties, would agree that that would be the kind of spirit of co-operation and the kind of approach that we think would serve the people of Ontario very well. To that end all I can say is that I hope that those sentiments are conveyed very clearly and succinctly to the industry. I know that the industry generally will accept that in the spirit intended and that hopefully the Act will continue to serve the people of Ontario fairly and appropriately.

Mr. B. Newman: I wanted to ask the minister, how is the consumer protected who, living as I do in a border town, may purchase a flight through a travel agent in the Windsor area yet the flight originates in Detroit? How is he protected under this legislation if the flight is cancelled, or is he not?

Hon. Mr. Handleman: He's protected through the compensation fund. If anything should happen, he has dealt, presumably, with a registered travel agent in Ontario. Anybody in the Windsor area who deals with a travel agent in Detroit unfortunately would have no protection under the Act.

Mr. B. Newman: Okay, that answers my second question. The one that I was going to ask you is, where the flights originate in Windsor and go to all parts of the southern states and the Caribbean, if the ticket were purchased in the Windsor area then the individual would be protected, but if it were bought in Detroit there would be no protection at all.

Hon. Mr. Handleman: I just want to put one little caveat on that: If it was purchased in the Windsor area from a person registered under the Act. It's very important, as the member for Fort William pointed out during





Mr. Norton: Excuse me, Mr. Speaker, on a point of order. I don't wish to interfere with what the member is addressing himself to at this point, but I did give both of the opposite parties advance notice of an intention that we have in respect to an amendment we would like to introduce later.

I had also hoped to give them more up-to-date material on the matter, which has been printed since then, between the second reading of this bill and the time when that would be introduced in committee of the whole. I think that any discussion of the proposed amendment might be more appropriate in committee of the whole when that amendment is actually before the committee.

Mr. Speaker: I presume the hon. members wish to discuss the principle of it, and not get into too much detail about whatever the amendment might be.

Mr. Roy: That's right; I don't want to get into the details of it, Mr. Speaker. But I know that the amendment will be coming forward, and I wanted to express some of my personal concern and those of my colleagues about this proposed amendment before it goes to committee of the whole. I think I can address the principle involved in this amendment. And if I may continue, Mr. Speaker, I think I am in order, because we will be discussing the amendment under the principle of the bill and the principle of that amendment.

[8:15]

Mr. Speaker: If it has to do with the principle as outlined in this bill it will be in order, yes.

Mr. Roy: The principle, yes.

Mr. Renwick: Sorry, I thought you had finished because you hadn't said anything yet.

Mr. Nixon: It's going to be one of those evenings, is it?

Mr. Roy: If you followed that—

Mr. Speaker: Order, please. Let's get on with it. The member for Ottawa East will address himself to the bill, thank you.

Mr. Roy, Mr. Speaker, the purpose of the amendment, as explained by the member for Kingston and the Islands, is to correct the situation which has been existing throughout many municipalities. That is, basically, that many regional councils or municipalities have not been following the requirements of section 446 of the Municipal Act.

The requirement, Mr. Speaker, was basically that when a change was going to be made in relation to a roadway, or acquisition of property, that notice be given. Of course, the purpose of the notice is to hear any objections. Apparently, many municipalities, and among others, the regional municipality of Ottawa-Carleton, had not been following this requirement. So, they were taken to court and an injunction was given by the judge whereby the project as constructed by the municipality had to come down.

My concern about it is basically this. When we're involved in a situation, as is proposed in this amendment, what we are doing is acquiescing to some degree to an elected body, be it a municipality or regional council, in not following the dictums of the Municipal Act. I'm concerned as a member of this House, and I think all members should be concerned, about certain requirements in the Municipal Act which are not followed by regional councils or other elected bodies. Usually when this happens to an individual, if he doesn't follow the law or the requirements of the law, then he can be brought to court. At least we as a government, or a law enforcement agency at whatever level, can see to it that he's made to follow the law. In this particular case, we're sort of acquiescing to a state of events where two factors, including a number of councils—

Mr. Swart: Oh, come on.

Mr. Speaker: Order, please. Do you have a point of order?

Mr. Swart: I just want to again mention the point of order which was mentioned before. We have, before us, a bill for second reading. It has a great number of clauses in it, but the one on which the member is speaking is not in the bill. We have had a notice of intent to submit that amendment when we are dealing with it clause by clause. It's not in the bill. It's not in the principle of the bill and I think the discussion should take place at that time.

Mr. Speaker: Order, please. I think the hon. member for Ottawa East knows he should discuss this bill in the amendment that's in here. I'm sure, if I gather the gist of the objections, that there will just be duplications of the discussion if he continues on to discuss the amendment to the amendment which has been proposed.

May I also point out one other item first before the hon. member carries on? There is no such amendment before us at the present





time. We are talking about the amendments that are in the Act, not an amendment which may come in later. It is not before us at the present time.

Mr. Renwick: Would that the Sergeant-at-Arms were here as well.

Mr. Roy: Mr. Speaker, may I say to you that we're trying to discuss a section of a bill which the parliamentary assistant has brought to our attention and that he wants to make part of this bill. He says that he will be giving us additional material on the amendment. We're trying to convey to that member, previous to the bill going into committee, our concerns about it. There may be some—

Mr. Speaker: But it is not before us.

Mr. Roy: Well, could I explain what I was trying to say?

Mr. Speaker: You are wasting the House's time if you are discussing something that's not before us. That's the point I wanted to make. The hon. member will understand that, I'm sure.

Mr. Renwick: Mr. Speaker, on the point of order raised by my colleague, the member for Welland-Thorold, we just had the opportunity to notice that my friend, the member for Prince Edward-Lennox (Mr. Taylor) is sitting there in isolated silence. It's very nice to have him there.

Mr. Nixon: Is that a point of order?

Mr. Speaker: Are you speaking on a point of order?

Mr. Renwick: My point of order is that my colleague, the member for Welland-Thorold, is so secret that I can't understand why the member for Ottawa East would be challenging the authority of the Speaker on this matter. I can't understand that.

Mr. Nixon: This is a great point of order.

Mr. Renwick: I can't understand that—

Mr. Shore: He doesn't want to.

Mr. Renwick: —unless it's a matter that he's just unruly.

Mr. Speaker: Order, please.

Mr. Renwick: It may be that he doesn't want to stay for the whole evening. He just wants to get in his blows now. If so, we will defer to him.

Mr. Shore: That's not a point of order.

Mr. Speaker: Order, please.

Interjections.

Mr. Speaker: Order, please. We are wasting the time of the House by this bickering.

Mr. Roy: I am discussing what should be in the bill.

Mr. Speaker: We should discuss what is in this bill, not something which may come forward later, if I may just point that out, and I think that should be enough to be said. We are discussing the principle of the bill, not the detail of it, of course. What may come before us later is not under discussion at the present time.

Mr. Nixon: Mr. Speaker, on a point of order, since it has been referred to by a number of members, my experience, sir, and I know it must be yours as well, is that on second reading it is quite appropriate to discuss in general terms the matters which should be in the bill. On a matter of grave importance, such as the one that my hon. colleague has brought forward, surely the hon. members—and there are only three or four of them in the NDP present—should sit back and listen to these important matters which my colleague wants to put before them.

Mr. Speaker: Order, please. We are just wasting the time of the House here now. The hon. member must know that he discusses what's in the bill, the pros or cons of it, that's fine. Some of what he may have started out to say may well be included. If you don't like what's in the bill, that's all right. But we should discuss what's in the bill, please. The hon. member for Ottawa East.

Mr. Roy: If I may complete my remarks, Mr. Speaker, prior to being so rudely interrupted by that party to my right, who were wrong again.

Mr. Renwick: The Speaker made a ruling.

Mr. Speaker: Order, please. We don't know what the hon. member is going to say yet.

Mr. Roy: What I find interesting is that when on this side we are trying to make constructive comments, we get the least patience from the member for Riverdale who takes up hours giving us platitudes in this House.

Mr. Nixon: He didn't think of it first; that's the problem.





Mr. Speaker: Order, please. Will the hon. member continue with discussion of this bill?

Mr. Roy: Apart from that gratuitous comment, may I complete my remarks very briefly, Mr. Speaker, by asking the member for Kingston and the Islands to give serious consideration as to what he wants us to do in this bill. We on this side of the House have serious concerns about taking away the rights of certain citizens, rights which were given because the law was not followed by certain elected bodies. I want to put my remarks on the record and ask the member to please give that serious consideration because we on this side of the House are going to have difficulty in supporting that amendment.

Mr. Renwick: A point of order, Mr. Speaker, it is not in the bill.

Mr. Speaker: Order, please. I haven't been able to detect whether it's in the bill yet or not. Will the hon. member continue?

Mr. Roy: That's right.

Interjections.

Mr. Speaker: Order, please. The member for Ottawa East will continue.

Mr. Roy: As usual, Mr. Speaker, the interjections from the member for Riverdale were academic, because I have finished my remarks.

Mr. Nixon: Very good remarks they were too.

Mr. Breithaupt: The bill before us has a number of particular housekeeping sections. In addition to the comments that my colleague from Ottawa East has made, I have to say that with respect to these other comments we are content that the bill go to committee and that it be dealt with there. The section to which my colleague has referred is one to which we have been given notice of a proposed amendment. Therefore, the remarks which he has made and the concerns which he has expressed with respect to them are those things which will, one presumes, form in effect part of the principle of this general bill.

It is difficult to find any particular principle in a bill that brings forward a number of amendments. Basically, these amendments bring in many of the items which are contained in the other recent changes to the regional government Acts with which we have already dealt. We are now bringing in these changes to the Municipal Act so that those

municipalities who are not otherwise covered by regional government would be brought into line with these other general procedures.

With the growth of regional government in the province, those municipalities are not already included in regional governments are much fewer in number. These amendments will at least bring to those the changes which follow from the bills that we have already dealt with. I recall Bill 54 dealing with the municipality of Metropolitan Toronto and Bill 55 dealing with a variety of amendments in an omnibus fashion to each of the particular regional government bills that we have passed over these last half dozen years or so.

We are prepared to support the bill generally in principle, and I can assure the member for Kingston and the Islands that when it comes to the point of his actually introducing the peculiar amendment to which my colleague has referred, we shall amplify our remarks on that amendment at that time.

Mr. Speaker: Does any other hon. member wish to speak on this bill? Does the hon. member for Kingston and the Islands wish to sum up?

Mr. Norton: Mr. Speaker, I'll be very brief. I will wait until committee of the whole to amplify my response to the hon. member as well on that particular point.

In response, very briefly, to the concern raised by the hon. member for Welland-Thorold, as I understand it at the present time, the only circumstances under which the figure of 20,000 in terms of population is significant, and the only circumstances under which the approval he refers to would be required, is if they were to make application to the Ontario Municipal Improvement Corp. for funds.

Now, at the present time, that application would have to be processed by the municipal finance branch, since they administer those funds. Since OMIC has an annual appropriation of some \$8 million, it would be necessary for that branch to continue to process those applications as they came in.

But those, as I understand it, are the only circumstances under which the approval to which the hon. member for Welland-Thorold referred would be required for those municipalities of under 20,000 population.

Mr. Swart: Why is it for 20,000 population?

Mr. Norton: As I understand it, the difference is that municipalities over 20,000 at the present time can borrow funds from OMIC only for purposes of municipal sew-





programmes. Municipalities of under 20,000 are allowed to borrow from OMIC for any approved purpose. In that sense, municipalities of under 20,000 do get some preferential treatment in terms of the purposes for which they can borrow, and by the way that it is administered. In any case, funds must be processed by the municipal finance branch of the ministry, and that is how they're administered. Beyond that, Mr. Speaker, I think I will reserve comments on the other matters until the committee of the whole. Motion agreed to; second reading of the

Mr. Speaker: This bill is to be ordered in committee of the whole House? Agreed.

### CITY OF THUNDER BAY AMENDMENT ACT

Mr. Norton, on behalf of Hon. Mr. McLaughlin, moved second reading of Bill 106, Act to amend the City of Thunder Bay

Mr. Swart: Mr. Speaker, it is my understanding that the changes incorporated in the bill were requested by the city of Thunder Bay, and its representatives are in full agreement with the bill. It is, at least to some extent, a technical matter resulting from the amalgamation of the two former cities of Port Arthur and Fort William. Therefore, we have no objection to the bill as it presently stands.

Mr. Breithaupt: Mr. Speaker, we would agree with that approach. The members for Fort William (Mr. Angus) and Port Arthur (Mr. Foulds), I presume, have no objections to the bill.

Mr. Roy: We'll never know. They're not here.

Mr. Breithaupt: Therefore, I would expect that the matter is otherwise in order and we are prepared to support the bill.

Mr. Renwick: Mr. Speaker, as indicated by my colleague, the member for Welland-Orkold, we're not going to oppose the bill. I have discussed this matter with my colleagues, the member for Port Arthur and the member for Fort William, and each of them has been in communication with the appropriate officials in the city of Thunder Bay.

Mr. Nixon: We should hear from them.

Mr. Breithaupt: Didn't doubt it for a moment.

Mr. Renwick: —about the provisions of the bill—

Mr. Roy: That isn't what they told me.

Mr. Renwick: —and have authorized me on their behalf to indicate to the House that there's obviously no objection to the bill in the city of Thunder Bay.

[8:30]

My concern is a somewhat different one in that I am always anxious to know, at the point in time when we are asked to pass a bill which is going to have effect as of Jan. 1, 1970, what were the specific problems that arose which led to the introduction by the government of a bill which is going to be retroactive—not just retrospective but retroactive—as to the date upon which the city of Thunder Bay came into existence. I think it is most important that the record of the House should show the specific problems which arose which led to the need to provide for this kind of legislation.

The substance of the legislation is perfectly clear, both from reading the bill itself and from reading the explanatory notes which accompany the bill. It's the initiative and motivation behind the bill which I am very interested in simply because I do not think any bill with this retroactive feature to it should be allowed to pass unless we have an adequate explanation. It may well be that the parliamentary assistant may be prepared to give his explanation now, in which case it will not be necessary in our opinion that the bill go to committee, or he may choose to deal with it in committee, in which case we would request that it go. But it is entirely in his hands as to how he deals with the bill.

Mr. Norton: In response, particularly to the hon. member for Riverdale, I will attempt very briefly to outline the developments over the last six years that have led to the introduction of this bill. I might also add that I will still request that it go to committee of the whole because there is a minor amendment, which in fact was requested by his colleagues, which we have agreed to introduce and which I will introduce in committee of the whole.

At the time of the amalgamation of the cities which now form part of Thunder Bay, the situation that prevailed was that the respective utilities commissions in the two





cities held land in different manners. In some cases it was held in the name of the municipality and in others in the name of the commission. At the time that the commission was amalgamated to cover the new city of Thunder Bay, there was still some misunderstanding with respect to where the land was vested.

At one point in time, shortly following the amalgamation, there arose a dispute that I think crystallizes the kind of problem that has existed for six years. The commission was vacating certain premises in Thunder Bay and the city was in need of additional space for its administrative offices. Interpreting the way in which the land had been held in such a way that the city viewed the land as being vested in the municipality, they proposed that they occupy it. The commission had different views on the matter and a dispute arose over the question of the holding of the assets of the commission.

Some time following that an agreement was reached, or at least it was thought an agreement was reached, between the city and the commission that would iron out those difficulties. In fact, it involved basically what is incorporated in the legislation before us. There was to be a consideration exchange hands in the form of cash payment to the commission for certain properties. But then subsequently it was discovered that what appeared to be an understanding at that time was still subject to two different interpretations. The city felt that the consideration that was being offered was going to result in all of the assets vesting in the city; the commission was of the opinion that it only applies to the particular asset that the city wants to occupy at that time.

So there has been a long-standing debate. There have been long-term efforts on the part of members of the staff of the ministry to assist in ironing out these difficulties. I think that, with the co-operation of the members for Port Arthur and Fort William we have now been able to iron out, in conjunction with the municipality and the commission, an agreement which I think this time both clearly understand and which forms the basis of the legislation to which they have both agreed. The solicitors for both parties have had an opportunity to review the legislation and all indications are that this is clearly understood now and acceptable to both parties.

Mr. Speaker: The motion is for second reading of Bill 106. Shall the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: This bill, I understand, is to be ordered to committee of the whole House.

Agreed.

#### CHILD WELFARE MUNICIPAL PAYMENTS CONTINUANCE ACT

Hon. Mr. Taylor moved second reading of Bill 108, An Act to provide for the Continuance of Certain Payments between Municipalities under the Child Welfare Act, 1965.

Mr. Renwick: Mr. Speaker, I have discussed this bill with my colleague, the member for Bellwoods (Mr. McClellan), who is our critic for your ministry and he—

Mr. Nixon: He is not here tonight.

Mr. Roy: You are really short of bodies here, tonight, Jim.

Mr. Foulds: But not of minds.

Mr. Renwick: One has to make value judgements about these matters, and my time is less valuable than that of the member for Bellwoods, so I am here tonight to debate this bill with the minister.

Mr. Nixon: They are all subjective.

Mr. Breithaupt: That was his decision.

Mr. Nixon: You are here every night. Where is the member for Bellwoods (Mr. McClellan)?

Mr. Renwick: He is doing something terribly important in connection with the next election.

Mr. Speaker: Let's get on with the bill, thank you.

Mr. Renwick: I am always a little bit concerned when I am told in the explanatory note that there has been a mistake made in the revision of the statutes or the repeal of a section which was not to be included in the revised statutes but was to be unconsolidated and remain unrepealed. This is what the bill talks about.

I would ask the minister to speak directly to the question as to whether or not this is, in fact, simply an error in the consolidation or revision of the statute. I would like him also then to explain to me what section 6 of regulation 86 of the revised regulations of Ontario, 1970, which is quoted in full,





means when translated into dollars and cents. Otherwise, we don't have any objection to the bill.

**Mr. Speaker:** Does any other hon. member wish to speak to this bill? The hon. member for Renfrew North.

**Mr. Conway:** Mr. Speaker, there are just two or three points that I would like to get some clarification on from the minister. I think that this bill has a certain relationship to the county of Renfrew. I presume it is related to a legal action undertaken by the county of Renfrew against the Province of Ontario some two or three months ago. If that is the case, I would like that also to be part of the answer to the previous question put by the member for Riverdale.

I certainly can support the bill in principle, because my people in the county of Renfrew tell me that this is the kind of corrective measure which their legal activity had sought to gain. If that is the case, the other two or three points I have, Mr. Speaker, are dependent upon an answer from the minister on that particular point, and I will await his response to that.

**Mr. Speaker:** Any other hon. members wish to speak to this bill? The hon. minister.

**Hon. Mr. Taylor:** Mr. Speaker, in answer to the member for Riverdale, yes, it is in my estimation an honest error. I did examine the provisions of the Act which provided for consolidation and revision of the statutes—that was in 1970 RSO. When I looked at the schedules of rolls that are attached or appended as provided for in section 6, there are two schedules, schedule A and schedule B. In schedule A it is indicated what Acts are repealed in whole or in part. If you look at that, it had the whole of the Act repealed. Schedule B indicates what portions of a statute are to remain unconsolidated and not repealed. In schedule B it showed section 88 is to remain unrepealed and unconsolidated, therefore there was an inherent contradiction between schedule A and schedule B.

The intention was to preserve section 88 of the Child Welfare Act in an effort to protect the orders that were made prior to that time, whereby one municipality would be responsible for the payment towards the care of a child from another municipality. It is my understanding that there were something like 44 orders outstanding whereby municipalities were paying and other municipalities receiving moneys for the care of children who were being cared for in a municipality other than the municipality from which the child came.

We had a situation where for a period of years from 1971 to 1975 we had thought that the section 88 was preserved because the intention was not to repeal or consolidate it in the revision and there was a contradiction in the two schedules, as I mentioned earlier. One schedule indicates the repeal of it and the other the non-repeal of that section.

We had these agreements from that period of time, 1971 to 1975, under which payments were being made from one municipality to another in good faith. That section then was questioned as to whether or not it was repealed because of the contradiction if one looks at the two schedules. We did question this and a notice was served in terms of an action involving some payments, but it is my understanding that there are something like 44 orders outstanding which involves, in answer to the member for Riverdale, something like \$312,000 or \$313,000.

In 1975, section 88 was repealed, so it was just for that period where the error was in the roll to the consolidation that we are concerned about.

**Mr. Conway:** Mr. Speaker, I have one or two other questions.

**Mr. Speaker:** This is not a question-and-answer period. Second reading of the bill is debate in principle and each speaker has an opportunity to speak once. If there is any detail, of course, it can go elsewhere. If there is a question of clarification, we would allow that under the circumstances.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Committee of the whole House?

Agreed.

**Mr. Renwick:** Because of the nature of Bill 108, even though it is out of order to do so, we would be quite content, rather than delay the minister, to deal with Bill 108 in committee immediately if that's acceptable.

[8:45]

**Mr. Breithaupt:** It would be quite acceptable to us to accommodate the minister.

**Mr. Deans:** I think he wants rid of you.

**Mr. Renwick:** It is an extremely technical bill.

**Hon. Mr. Meen:** In the circumstances, to accommodate the members, I think we could go to Bill 108. I understand the Minister of





Education (Mr. Wells) is quite satisfied with that.

Mr. Roy: It is not to accommodate us.

Clerk of the House: The second order, House in committee of the whole.

#### CHILD WELFARE MUNICIPAL PAYMENTS CONTINUANCE ACT

House in committee on Bill 108, An Act to provide for the Continuance of Certain Payments between Municipalities under the Child Welfare Act, 1965.

Mr. Chairman: Are there any comments, questions or amendments to any section of Bill 108, and if so, to which section?

Mr. Conway: Mr. Chairman, I would like to make one or two general comments since the minister indicated there had been a relationship, at least in part, between this corrective measure and an action initiated by the county of Renfrew.

I want to take this opportunity to register, on behalf of the county of Renfrew, their very strong sense of unhappiness about the fact that they had a dialogue with the ministry on this particular item for almost a year. From what they told me as late as this afternoon, in the last number of months they have incurred legal costs in the amount of roughly \$3,000 in this particular action to which we have made reference—a legal action which they would not have contemplated had they been told in the course of this dialogue with the ministry that this kind of corrective measure was contemplated.

I want to say that I find this unfortunate, as I know that the particular officials at the county level do, and that I hope the participatory qualities, about which we heard so very much from the esteemed government House leader this afternoon can be brought down to this kind of a level so as to prevent the needless expense to which the county of Renfrew has been placed under these conditions. I want to register that very strongly because the administration of the county of Renfrew feels particularly upset that they have gone to the expense of initiating this activity legally, which they would not have done had they been told in the course of a very regular dialogue over the past year, as I said earlier, that this sort of acceptable—to them at any rate—corrections was going to take place. I hope the minister will take that into consideration.

I would simply like to ask one final question about something that concerns the county officials: Since the minister comes before us tonight, admitting the fact that this is a correction which flows out of an error—the explanatory notes point that out—is he prepared to consider some sort of compensation for municipalities like the county of Renfrew that have incurred expenses—in their case about \$15,000—as a result of this particular instance?

Mr. Renwick: Mr. Chairman, I only have one comment, which is to say that we in this caucus accept the explanation of the minister that it's an honest mistake and an honest error at the time when this consolidation of the statutes was being undertaken. It was inadvertently repealed at that time and then formally repealed in 1975, as I understand it; so we are only talking about an interregnum period and what we're trying to do is to correct for that period of time the error which was made in the consolidation.

I don't know how one goes about it, and I don't presume to know, but with respect to what my colleague, the member for Renfrew North (Mr. Conway), had to say about the uncertainty as to what the ministry was going to do about an obviously extremely technical matter, if that municipality or any other municipality incurred expenses, I'm inclined to think there may be some way in which they could be relieved of the expenses which they legitimately incurred because of the error which was made by the government—I'm not being invidious about it; it's just an error, which does happen from time to time in these circumstances.

Hon. Mr. Taylor: Mr. Chairman, the problem, of course, was whether we should leave the interpretation to the courts or whether we should clarify it by legislation, and the municipalities affected did proceed in good faith. As I mentioned, payments were made by the municipalities and payments were received by others, pursuant to others. Rather than leave that interpretation—on reviewing the legislation it was apparent that it was an honest error—for the court, which really wouldn't solve anything, I thought the practice that had been followed by the municipalities should be respected and, of course, the rectification made in this House. In other words, the legislation was intended and is intended to obviate payments or at least the dispute over payments.

I think what my friend from Renfrew North probably refers to is the fact that the county





there did seek legal advice and take certain action in terms of the interpretation of the law. I cannot undertake to reimburse that municipality for an intended action, an action which I believe was commenced; or at least a writ issued, on June 15. But, I think the legislation will eliminate a redress to the courts in terms of determining the interpretation of what was intended.

**Mr. Conway:** Just one or two clarifications on that particular point. I want to make it clear that my direction to you in terms of compensatory consideration relates not to the legal expenses of this particular municipality, but to the amount of money involved in terms of their payment over that time period with which we are now dealing. As I understand it, there were about \$15,000 worth of payments. I am not exactly sure of that figure but there were X dollars expended by that municipality during this particular time. The administration of that municipality has asked me to ask you whether or not you would consider, under the present conditions of this corrective measure, some compensation for their financial consideration.

Second, I think, is the point that they did enter into this legal activity having been in daily contact with your ministry. You have a municipality which has acted in very good faith and which is very supportive of this. They simply are quite a distance from Toronto and they wonder why, if the government was contemplating this kind of very technical correction, didn't somebody tell them back in April and they wouldn't have bothered. I guess it is a small point; it is a point that relates to the doing of business. I would hope that having consideration for the fact that the activity has already been entered into, that you will pay specific attention so that this sort of thing does not recur. I think it would have been a very simple administrative manoeuvre on your ministry's part simply to indicate, at the time of the action back in April, 1976, to the municipality involved that you planned to move in this particular way and therefore their activity legally in this regard was really going to be redundant. The expression used by one of the administration officials in the county of Renfrew is: "They have pulled the rug from underneath our feet. Not that we are unhappy about the fact that they are doing it. It is just that had they only advised us, they could have saved us a considerable number of dollars."

So, Mr. Minister, my points are, again, that I would like you to pay specific attention to the administrative difficulty which has cost

this municipality \$3,000 in legal fees. I would also ask you to direct your comments, insofar as compensation and the consideration of that compensation is concerned, not to the legal fees involved but the dollars involved from this municipality's treasury in the time period of which we are now speaking. That's the compensatory activity of which I am concerned.

**Mr. Roy:** Mr. Chairman, just to follow my colleague from Renfrew North. He seems to be making an excellent point. First of all, on the question of legal fees, the exercise of getting involved in an action became academic, of course, with your legislation. But, just as you acted in good faith and made an honest error, they were acting in good faith as well. But, I think their problems flow basically from the error originally. First of all, you should be giving consideration to this, especially since my colleague has added another element to this which has concerned me. It is the fact that apparently they were in constant communication with your ministry, and your ministry was aware of the difficulty. And obviously from what he says, your ministry seemed to be aware that they were contemplating some form of legal redress and they were not advised of the forthcoming legislation.

You acted in good faith and so did they, but their problem certainly flowed from the original error. I think that some consideration should certainly be given to that.

**Hon. Mr. Taylor:** Mr. Chairman, may I repeat that it has been our interpretation that the section in question, section 88 of the Child Welfare Act, was not in fact repealed during this five-year period. That was our honest intention. And if you look again, objectively, at the schedule, you can see it was not the intention to repeal that section. Or when you compare schedules A and B, they are contradictory.

Our instructions were to all of the municipalities that section 88 was in fact in force, and this was the posture that my ministry took for those five years. That then preserved the payments that were being made by municipalities and, on the other hand, also the moneys being received by the municipalities pursuant to these orders for support of children outside of their jurisdiction.

When I got word of it, and rather than have the matter interpreted by the courts, I thought the obvious answer was to bring it into this House. The county of Renfrew was advised the moment the bill was introduced. It was introduced on June 10, and I sent





them a copy of the bill on June 11. The action was commenced on June 15, which was yesterday. So there was notice of intention regarding this matter.

I'm just saying I didn't wish to see any unnecessary expenditure in terms of court costs in regard to a technicality or an obvious error. Sure, I'm happy if the member is asking me to look at a particular situation. Frankly, I haven't personally reviewed the situation in Renfrew in terms of the facts. But from what the member has said, they are obviously happy with the legislation that has come in and which clarifies the matter. I think that in other cases in other municipalities, they will be equally happy not to feel insecure in terms of the payments that were based on the understanding that the section was not repealed until 1975.

**Mr. Renwick:** Mr. Chairman, I may say that the explanation of the minister is completely satisfactory to us. If my understanding is correct, it is that the ministry proceeded on the basis that the error had not occurred. All this does is to make valid what they did on the assumption that the error hadn't occurred, and you want to just correct that technicality. I think that, in a very real sense, perhaps destroys a substantial part of the validity of the argument by my colleague, the member for Renfrew North.

I think that when we first considered the bill, at least not understanding all of the technical circumstances, it appeared to be the reverse situation; and in that case we would have had some concern. But if the ministry proceeded on the basis that the error had not occurred, then if the error is drawn to the attention of the ministry and they move immediately to correct it, I cannot see from our point of view anything wrong with that procedure. I think on the contrary the minister is to be complimented for proceeding so promptly to clear this particular matter.

[9:00]

**Mr. Conway:** Just one concluding remark: I can't substantially dispute the learned contribution from the member for Riverdale. However, having listened to the points he has made, I simply reiterate that the county of Renfrew feels as I feel that the correction is certainly in order. Had one consultation been made in the early part of the spring—the county now is certainly not going to get any consideration from the ministry in question—but had the consultation been offered,

as I think it could and should have been, that would then certainly have saved that particular municipality a considerable number of dollars.

Not being a legal person, however, I want to ask if you felt the strength of your earlier case—it's interesting to hear you say that you did not want the situation to be settled in the courts. It is unfortunate that you are not willing to take this particular municipality of which I speak into your confidence so that they would not have been put to an undue expense. I want to tell you, Mr. Minister, they are not very pleased about the level of communication which has brought them to this particular point.

Bill 108 reported.

[9:00]

## EDUCATION AMENDMENT ACT (continued)

House in committee on Bill 87, An Act to amend The Education Act, 1974.

On section 9:

**Hon. Mr. Wells:** Mr. Chairman, last week when we were last debating this bill in committee, I indicated that I would take back and reconsider a part of section 9. That was the part having to do with making it mandatory for school boards to charge students who are in this country under the Immigration Act of Canada the gross fee.

During the debate there were many questions raised about the problems at border areas in this province—for example, the Windsor-Detroit area, the Sault Ste. Marie, Ont.—Sault Ste. Marie, Mich., area and so forth. Since that time we have conducted some studies about this particular problem. I must say that in the weeks that I have been looking at some of these cases, it has become obvious to me there is a chance there are people who could be overlooked here and who could unjustly be charged a fee to attend school in this province who should not be charged.

I am going to propose that this section be taken out of the Act at this time until we can have an opportunity to completely review the situation that was brought to our attention in this House—particularly of American and Canadian students living in border areas of this province. That we will do. So I would like to suggest that the newly numbered section 9—the part that shows as subsection 6 at the bottom; it isn't subsection 6 of 9 but





is indicated so, beginning "notwithstanding any other provision of this Act". I'm recommending that that section be taken out and that section 5 of the Act also be taken out, since it pertains to the same matter.

**Mr. Foulds:** I just want to say we are very pleased by the minister's action. We accept it with the grace and skill with which he put it forward. I would like to pay particular tribute to the arguments put forward by my colleague the member for Windsor-Sandwich (Mr. Bounsall), and my colleague the member for Scarborough-Ellesmere (Mr. Warner), on this matter. I think they were instrumental in having the minister look at this whole situation.

**Mr. Ferris:** Mr. Chairman, I would certainly concur with the NDP member who suggested that we should congratulate the minister on this. I think I also made some communications with him about the areas close to the border. Other than being able to recite individual incidents there was no clear distinction on it as to how they would formulate any kind of policy that could be meaningful and so that it can be clearly left with the municipalities and the local groups to deal with the situation as they see fit in individual cases. If I might make another remark, because I guess it's just a general discussion about the two points that are outstanding, I believe also the only vote now would be section 1, subsection 1, which is the daily enrolment. I would like to make my couple of remarks directed to the opposition of the NDP to this particular area going—

**Mr. Deputy Chairman:** Order, please. I think the hon. member is straying from this section. We are dealing with subsection 6. Perhaps we could deal with—

**Mr. Ferris:** All right, if you wish to call—

**Mr. Deans:** Will the minister please move the section to be deleted?

**Mr. Deputy Chairman:** I don't think the minister has to do that but the Chair will ask the question.

Shall subsection 6 of section 9 stand as part of the bill?

**Mr. Deans:** No.

**Mr. Breithaupt:** Mr. Chairman, no. Could I inquire whether section 6, to which you refer, is in the bill as reprinted? Presumably that has already been attended to and the section 6 that we now see before us is the one that the hon. minister wishes to have included.

**Mr. Deputy Chairman:** We are dealing with the original bill.

**Mr. Breithaupt:** But there has been a reprint of the bill available for committee of the whole House. Therefore the numbering may become somewhat confusing unless we are all dealing with the same version of the bill.

**Mr. Deputy Chairman:** Well, the Chair is dealing with the original bill and with the numbers as printed there.

**Mr. B. Newman:** I am pleased that the hon. minister has withdrawn the section as he has mentioned earlier because every one of the Windsor members has been confronted with the situation that was brought up by the hon. member for Windsor West. I shouldn't say Windsor West; it is Windsor-Sandwich, in fact. I would say all of the Essex county members have had problems brought to their attention by constituents. This, I assume, will resolve the situation for the time being at least.

**Hon. Mr. Wells:** Let me just say that what this does is to return us to the status quo in the Education Act. Boards now have the option to charge fees if they wish. It doesn't remove fees for anyone. It just puts it back to where it was before this amendment.

**Mr. Ferris:** On a point of clarification, Mr. Chairman. We are talking about paragraph 6 of section 9?

**Mr. Deputy Chairman:** Subsection 6 of section 9, page 4 in the original bill.

**Mr. Ferris:** Yes.

**Mr. Deputy Chairman:** Shall that section stand as part of the bill?

**Mr. Renwick:** No.

**Mr. Deans:** No.

**Mr. Deputy Chairman:** All those in favour will please say "aye."

**Mr. Deans:** It is agreed.

**Mr. Chairman:** All those opposed will please say "nay."

This shall be struck from the bill.

**Mr. Foulds:** The technical difficulty that I now—

**Mr. Deputy Chairman:** There is a consequent amendment on page 2 of the original





bill, section 5. Shall that section stand as part of the bill?

Hon. Mr. Wells: We already had a vote on that, a stacked vote, which we asked to be stacked and the motion was defeated. The motion to leave that as part of the bill was defeated the other night. Let's leave it that way. That will take this section out of the bill.

Mr. Renwick: We are happy with any consequential amendment.

Mr. Deputy Chairman: The committee agrees that section 5 shall not stand as part of the bill?

Agreed.

Mr. Renwick: We hope you never bring that back in even after you have studied it.

Mr. Deputy Chairman: We have one other stacked vote to deal with in section 1 of Bill 87. Shall it be stood down for another division in the committee?

Hon. Mr. Meen: Yes, agreed.

Mr. Renwick: Yes, we have to have a debate.

Mr. Deputy Chairman. Agreed.

Hon. Mr. Meen: Mr. Chairman, with the agreement of the other House leaders, rather than following sequentially as we would normally do, I think the next bill that should be called is Bill 98.

## TRAVEL INDUSTRY AMENDMENT ACT

House in committee on Bill 98, An Act to amend the Travel Industry Act, 1974.

Mr. Deputy Chairman: Are there any comments, questions or amendments to any section of the bill and, if so, to which section?

The hon member for Port Arthur—or is it Fort William?

Mr. Angus: Fort William. You have the right geography, just the wrong side of town.

Sections 1 and 2 agreed to.

On section 3:

Mr. Angus: I just wanted to ask the minister in regard to section 3, the regulations, whether he has inquired of his staff to see whether or not they can amend the regulations to allow for an appeal procedure to the appropriate body within his ministry.

Hon. Mr. Handleman: There is some question as to whether we can do it by regulation or whether it would require an amendment to the Act I advised the hon. member when he inquired about this just shortly after the second reading of the bill that I would be prepared to accept, in principle, the concept of an appeal from the compensation board's decisions. However, since the money in the compensation fund really is the property of those who have contributed and is not Treasury money—it is not consolidated revenue money—we would want to consult with the industry before taking that action. I would like to say if it can be done by regulation, with the advice of our counsel, and if the industry agrees to the concept, we would probably propose the appeals be made to the Commercial Registration Appeal Tribunal which would give it some objectivity.

Mr. Angus: Has the minister checked yet with his legal staff to find out whether he can make that change if he gets agreement from the industry?

Hon. Mr. Handleman: Yes, we have checked and, as I say, there is a division among the lawyers. Some say it can be done. However, in view of the difficulty that we have had with the regulations under this Act, I prefer that it be double-checked. There are others who say it may be more difficult than it appears at first glance to those who gave me the affirmative opinion.

Mr. Angus: Just one final question: Between now and the point in time when decision is made about whether or not you can make amendments to the regulations and if you have agreement from the industry to allow for an appeal process, could you get an internal commitment from the board or express to the board your feeling with regard to an appeal so that between now and whenever the decision is made, if something does come up, any decision can be made at such a point in time when an appeal process is established?

Hon. Mr. Handleman: I understand what the hon. member is getting at. I have no objection to passing my thoughts on to the board. I think it should be pointed out the difficulty of asking the board to do something which they have no legal authority to do. Under these circumstances, even I would admit they have no legal authority to allow an appeal, nor would there be any authority for an appeal body to hear it. However, I am certainly prepared to talk to the board. There is a feeling that it can be done by regulation





which means that it can be done quite quickly.

**Mr. Angus:** I keep saying one final point. If by chance it can't be done by regulation and you do have an agreement from the industry, at the earliest possible moment, assuming the House comes back to session in the fall, could we be assured that you will introduce an amendment to provide for that appeal process?

**Hon. Mr. Handleman:** It may not be necessary and I will be in touch with the hon. member to inform him. If we can do it by regulation, I will notify him immediately. I think we owe the industry an opportunity to consult with them on this point.

**Mr. Angus:** If you do have an agreement from the industry but find you can't amend the regulations, will you bring in an amendment at the appropriate time?

**Hon. Mr. Handleman:** I think I can say that without question. As I say, I am committed to the concept of an appeal. I think in retrospect it should always have been there.

[9:15]

**Mr. Shore:** In view of this section I amend, broadening the availability of the compensating fund which, if I understand correctly is to be a minimum of \$1 million at one time, and in view of the allowance for the travel agents to be able to call on that fund, which I think is valid, are you satisfied there is no chance or minimal chance of the fund not being available when needed in case of a severe bankruptcy or a compounding of several bankruptcies or insolvencies? Is there any chance, other than the most extreme type of possibility, of that fund not being available when needed?

**Hon. Mr. Handleman:** Mr. Chairman, I think there's always a possibility of catastrophe. I would be the last person in the world to deny that it might happen some day. I think it's beyond the realm of probability that any tour operator in this country would be of sufficient size to bankrupt the fund if it went under. I think we've looked at, without naming any names, some of the larger tour operators and most of them have fairly reliable financial resources behind them because they're not simply independent companies. They're associated companies who, to save their reputations, would stand behind a tour operator who went bankrupt.

There is provision, of course, that if the fund should drop below a certain level, addi-

tional assessments can be made. The industry has also asked us to consider the possibility of asking the Treasurer (Mr. McKeough) to guarantee any deficiencies in the fund. I think, under the present circumstances, the Treasurer wisely has said, "We'll meet that when we come to it." At the present time the fund will have to take care of any bankruptcies or failures that might occur.

**Mr. Shore:** Mr. Chairman, just on that point. As I said, I qualified my statement by "a catastrophe." But a catastrophe becomes quite subjective and it depends who's involved and what they define catastrophe as. Speaking from personal experience, the minister knows there was a travel agency in London, not of major size, to which hundreds of thousands of dollars of potential costs and deposits were made by people who could have lost their deposits and not had their trips. In this instance, to a great extent because of the co-operation through some people in your ministry and some of the industry, that loss was kept to a minimum in relation to the consumer at least.

But it seems to me it doesn't take too many small to medium-size travel agencies finding themselves in an insolvent position to have a draw on the \$1 million fund if no one else wants to join in a co-operative basis. On that subject, we did contact the government and the ministry, and asked them for co-operation or help on a bail-out and were politely rejected for whatever reasons they had at the time.

I'm not quite as optimistic as you may be, but you may have more information that you have the right to call on this fund for more than the minimum. The only thing I'm suggesting is to satisfy yourself that you don't have to be a large operator to bankrupt a fund. Two or three smaller ones who have gone on a binge of high merchandising or bad management or whatever, could draw on a \$1 million fund fairly quickly, particularly if some of the wholesaler operators or the industry generally weren't prepared to be either charitable or to try to salvage an industry at the time.

I just want to stress to you the Treasurer's remark that he would cross that bridge when he came to it. My experience, having gone through it, was that when the bridge was there we found the government was not prepared to cross it at that time. I think the time to anticipate it is before we arrive at the bridge, not at the time we're at the bridge.





Hon. Mr. Handleman: Mr. Chairman, it is a very hypothetical thing. We've had I think, six failures since the Act went into effect. The fund has never reached anything close to \$1 million but it has been ample. At least two of the failures could be designated as medium-large. The Blue Vista and the Sand Pebbles were both relatively important failures, yet the total amount of claims on the fund is still under \$300,000 and it has a balance of well over \$300,000. The amendment that we have in section 2 of the Act is to bring it up to \$1 million and then if it comes below that, to be able to provide another assessment.

The way the Act was read it was an oversight, that if it never got up to \$1 million then you couldn't get another assessment even if it went broke. So at the present time we feel there is ample protection there. We've looked at the largest tour operator in Canada, the one that would really provide the biggest drain on the fund at Christmas time, and there's no question that \$1 million would be pretty close to the line.

On the other hand, we would expect that if a large tour operator like that were to go under, we would get the co-operation of the industry in ensuring consumers did not suffer, and I think we would probably have to go after their principals, who happen to be one of the major banks in the country.

Mr. Shore: Just one more question. I don't want to leave the impression that I'm a purveyor of gloom and doom because I do have confidence generally, until proved otherwise, in the enterprise of the industry. But are you satisfied—I assume you are—that the fact you're bringing in travel agencies and broadening this, which I think is right, is not going to have any undue influence on the dollar involvement here?

Hon. Mr. Handleman: No. As a matter of fact, we think that this will be very helpful because a travel agent, in claiming on the fund, can only claim the net amount of his account, which is the gross amount paid by the consumer less his commission. So the travel agent's claim would be less than that of the traveller, and we think it could help keep the fund liquid.

Mr. Cunningham: I can only concur with what my colleague from London North has said on the possibility of insolvency with regard to the travel agencies. It would appear that the ministry has taken the appropriate measures to ensure the people of Ontario be protected. Nevertheless, I think that given the

scope and the largesse of some of the larger agencies that we have in the province, we shouldn't allow it to go past us without recognizing the possibility, at least, that even one of the larger ones may in fact go bankrupt at some time.

(The member for Fort William I think very appropriately raises a good point on the possibility of an appeal process. All I can say to you at this time during this reading of the bill is that I would hope that you would use your influence on the board, that they, in the spirit of co-operation, on a very objective basis, regulate themselves so that we in the Legislature will not be required to come back at some later date to set up, on a legal basis, some form of appeal process.

I'm sure all members of the Legislature, in all parties, would agree that that would be the kind of spirit of co-operation and the kind of approach that we think would serve the people of Ontario very well. To that end all I can say is that I hope that those sentiments are conveyed very clearly and succinctly to the industry. I know that the industry generally will accept that in the spirit intended and that hopefully the Act will continue to serve the people of Ontario fairly and appropriately.

Mr. B. Newman: I wanted to ask the minister, how is the consumer protected who, living as I do in a border town, may purchase a flight through a travel agent in the Windsor area yet the flight originates in Detroit? How is he protected under this legislation if the flight is cancelled, or is he not?

Hon. Mr. Handleman: He's protected through the compensation fund. If anything should happen, he has dealt, presumably, with a registered travel agent in Ontario. Anybody in the Windsor area who deals with a travel agent in Detroit unfortunately would have no protection under the Act.

Mr. B. Newman: Okay, that answers my second question. The one that I was going to ask you is, where the flights originate in Windsor and go to all parts of the southern states and the Caribbean, if the ticket were purchased in the Windsor area then the individual would be protected, but if it were bought in Detroit there would be no protection at all.

Hon. Mr. Handleman: I just want to put one little caveat on that: If it was purchased in the Windsor area from a person registered under the Act. It's very important, as the member for Fort William pointed out during





second reading, that travellers ask their agent to display his registration certificate.

Section 3 agreed to.

Sections 4 and 5 agreed to.

Bill 98 reported.

## PURCHASERS OF NEW HOMES ACT

House in committee on Bill 94, An Act to provide Certain Protections for Purchasers of New Homes.

On section 1:

Mr. Renwick: Mr. Chairman, we have eight amendments, and we furnished them—from the point of view of expediting the business of the House in anticipation that we can complete the bill in accordance with the business as laid down—to the appropriate member of the Liberal Party and the hon. minister.

Our first amendment is to section 2. But I don't want that section 1 to go by without making a comment that if section 2 is carried, there will be consequential amendments to section 1 to introduce the definition of the term "director." There will be an amendment necessary for the term "corporation," and it may well be that there may be another consequential amendment. Otherwise we are satisfied with section 1 of the bill and I would, unless somebody else has a comment on section 1, like to move on section 2.

Mr. Breithaupt: The difficulty is surely that if we pass section 1 at this point, and there are amendments to section 2, which the member for Riverdale is proposing, presumably we will revert to section 1. Is that the intention of the House?

Mr. Renwick: That's right.

Mr. Deputy Chairman: The Chair was going to suggest that we should stand that section 1 down until section 2 is dealt with.

Mr. Breithaupt: Yes, I think that would be a convenient way of doing it if that's the wish of the House.

Mr. Deputy Chairman: Is that the wish of the committee? We stand section 1 down until section 2 is dealt with?

Agreed.

On section 2:

Mr. Renwick: On section 2 of the bill, so that the committee will understand, I want to make an extensive amendment.

Mr. Deputy Chairman: Mr. Renwick moves that section 2 of Bill 94 be amended to read as follows:

1. The Lieutenant Governor in Council shall cause a non-profit corporation to be incorporated without share capital under the Corporations Act, with the name Ontario New Homes Warranty Corp., to be the corporation for the purposes of this Act.

2. The board of directors of the corporation shall be composed of not less than five and not more than nine directors to be appointed by the Lieutenant Governor in Council of whom no more than one-third shall be persons engaged directly or indirectly in the home development or construction industries.

3. The objects of the corporation shall be (a) to administer the Ontario New Homes Warranty Plan; (b) to establish and administer the guarantee fund providing for the payment of compensation under section 14, whether by the establishment of a fund for the purpose or by contract with licensed insurers; (c) to assist in the conciliation disputes between vendors and owners; and (d) to engage in undertakings for the purpose of improving communications between vendors and owners.

4. The corporation may exercise the powers and shall discharge the duties conferred and imposed upon the corporation by this Act and the regulations under the supervision of the director and shall be responsible to the minister.

5. The Insurance Act does not apply to the corporation and its undertakings in respect to any matter within its objects or authorized by this Act.

Mr. Renwick: Our purpose in moving this amendment is to express concern about a trade association, HUDAC, being the designated corporation for the purposes of this bill.

Apart altogether from our concern about a trade association being designated as the corporation for the purposes of this bill, we consider that whatever the corporation may be it should be under the supervision of the director, that is the appropriate director in the Ministry of Consumer and Commercial Relations. It should be unmistakably clear in the bill that the corporation as such is responsible to the minister so that he has the traditional cabinet responsibility as a minister of the Crown for the operations of the corporation. At the present time that is not so.





We recognize the validity of the proposition that it should be a corporation because of the extensive nature of the operations which are involved in it. But we cannot, in this party, agree that it should be a trade association and that it should only have this particular nebulous connection through the minister to the assembly for the responsibility for carrying out the provisions of the Act. We specifically have obtained, of course, a copy of the letters patent of incorporation of HUDAC, and we are very much concerned that we should not be involved in that particular operation with a trade association.

[9:30]

Hon. Mr. Handleman: You have got the wrong company.

Mr. Renwick: No, I haven't got the wrong company. I've got the New Home Warranty Programme incorporation, which was incorporated on March 31, 1976, obviously in anticipation of this particular bill coming before the assembly. It may well be that that corporation, with the appropriate corporate steps made to make it conform to the provisions which are set out in our proposed amendment, could very well be the vehicle; but we do not feel in any sense that we can accept a corporation for the purpose of the administration, carrying out and enforcement of this Act that is not created for that single purpose, that is not clearly responsible by the legislation to the minister and that is not directly under the supervision of a director.

If one wants to be philosophical about it, we have no ideological problem about industries—which in the traditional method that the Conservative government has followed are now subject to regulation through a registrar directly responsible to a director—being granted a larger area of self-government at some point. We are not necessarily opposed to that. However, we think that if you are going to do that, you should do it with one of the industries already under the control of a registrar and then grant them further powers of self-government once you've been satisfied that the tighter, more controlled supervision has had the effect of raising the standards of behaviour which were required by the initial legislation.

But without going into that particular philosophical distinction, I would ask that the minister seriously consider the amendment which we have put forward, particularly our provisions that the directors for that corporation should be appointed by the Lieutenant Governor in Council and that only up

to one-third of them should be persons who are connected directly or indirectly with the home construction or development industry. Also, we consider that direct responsibility to the minister is an essential ingredient of the concerns which we expressed on second reading about the nature of the way in which this Act is to be administered.

Mr. Cunningham: Mr. Chairman, we in the Liberal Party also feel it is appropriate that this entire programme should be administered by a corporation as outlined here in the legislation. Notwithstanding that we are in some agreement with at least the government—and pardon me, Mr. Minister, for being so presumptuous—by virtue of the fact that this does come under an Act of the Legislature for the Province of Ontario, I would find that the organization the member for Riverdale referred to would be responsible to us. Should they on any occasion not be responsible to us, then of course, it is our option, as a government, to come back with legislation that would rectify any problem in that regard. To that end, I find that we will be unable to support these amendments as outlined.

Hon. Mr. Handleman: Mr. Chairman, first of all, I should point out that there is a trade association called the Housing and Urban Development Association of Canada, Ontario section. That is not the corporation we intend to designate; it hasn't been done yet, but that is not the corporation we intend to designate. We intend to designate a special arm's-length organization called the HUDAC New Home Warranty Programme; if you have examined the letters patent—and we have copies of its bylaws—you will see it—is not HUDAC. I think that has to be made quite clear.

The member for Riverdale asked whether I would seriously consider these amendments, and I want him to know that one of the reasons why it has taken so long in coming to this House is the very fact that these things have been considered. They have been discussed at great length and have been rejected by the government in developing this bill, primarily for the reasons that we feel there is ample accountability built into the bill. I think if you will take a look in section 2, subsection (1), it says "the Lieutenant Governor in Council shall designate a non-profit corporation." It doesn't name the corporation in the Act.

Mr. Renwick: Do you know what it is?





Hon. Mr. Handleman: Sure, the responsibility rests with the Lieutenant Governor in Council to designate—and the Lieutenant Governor in Council can, as I have said, “de-designate,” if I am not coining a word. So that if problems are brought up in this Legislature in the administration of the plan, problems which it appears cannot be resolved by this kind of structure, then the Lieutenant Governor in Council still has that power. We will not have to come back to the Legislature, as suggested by—

Mr. Renwick: Oh yes, you couldn't designate—

Hon. Mr. Handleman: And de-designate and—

Mr. Renwick: —and then de-designate.

Hon. Mr. Handleman: Yes, we certainly can. We could even designate a corporation consistent with the amendment that you have put forward.

Mr. Renwick: Once you have designated you are finished.

Hon. Mr. Handleman: I don't accept that at all, Mr. Chairman. It is our view, of course, that the whole principle of this bill is complete self-regulation in order to give the industry a chance. We know the HUDAC homes that have been built in this province have performed well. We have very few complaints about HUDAC homes, and those complaints that we do have are easily resolved. Our problem is with those who are not members of HUDAC, or do not meet the standards required by HUDAC.

The standards are set out in the Act, and therefore it is our view it should be administered in the way we have put it forward—by a completely separate corporation. It is one, of course, which will operate on the basis of the funds received. It will not be responsible to a director, but rather the minister of this ministry will always have the responsibility and its operation will be accountable to this House.

Mr. Renwick: So, there will be no misunderstanding on the record, the letters patent to which I refer are the letters patent related to the HUDAC New Home Warranty Programme. They were issued on March 31 of this year, obviously in anticipation that this would be, by arrangement with the ministry, the corporation which would be designated under this Act for the purpose of this programme.

The minister says to me that, yes, the minister is responsible. There is nothing in the bill which makes such a statement. There is, in our amendment, but it is not in the bill. It is just that simple.

We have gone a long way in the course of this assembly to understand the distinction between a minister who reports for a body and a minister who is responsible as a member of the government for the performance of that body. That's a distinction well known to the minister because of the arrangements which were made for the Liquor Licence Board and the Liquor Control Board. He knows the distinction, so we don't have to play around with the distinction.

But in the sense of cabinet responsibility, ministerial responsibility for the performance of a new programme under this Act, it requires an expressed statement in the bill of responsibility, or we go to the tradition which is followed in the Real Estate and Business Brokers Act and in many other Acts which come under the purview of the ministry. That's ministerial responsibility. I don't need to play around with the minister about subtle distinctions between it—he understands it.

If you are going to use this corporation—and obviously you are—then I would like to know who these people are: Donald James Ward of the city of St. Catharines, executive; Russell William Howard of the city of Waterloo, executive; and Heinz Seelbeck of the city of Hamilton. And who are the other members, at the present time, of the corporation for the HUDAC New Home Warranty Programme, and what is their connection with the home building, construction or development industry? I would like to know, as well, who the other five directors are. It was increased from five to eight, and insofar as I can tell the eight members may very well be Marcel Lalonde, Harold Keith Morley, Ernest William Asterley, Russell William Howard, Thomas Rob Gibb, Donald James Ward, Heinz Seebeck, and R. T. Ryan—three of whom, of course, were the original incorporators. I'm not talking about the legitimacy of those persons involved in the business in which they are involved, but I want the record of the House to show who the eight directors of that corporation presently are and what is their specific connection with the home construction and development industry directly or indirectly.

Hon. Mr. Handleman: I don't believe I can identify all eight of the gentlemen. I don't have a list of the names. I recognize some of the names and I am going to make an assumption, if the hon. member will per-





mit me, those whose names I recognize are members of the HUDAC Ontario Council, which is the executive body of the trade association you referred to in your opening remarks. These are people who have taken a step to incorporate this corporation and obtain the letters patent. HUDAC is a trade association made up of people who are in the building industry. The people whose names you mentioned that I recognize are all associated with builders in this province in various parts of the province.

Mr. Renwick: I would assume that that would be so. In the absence of specific information, we in this party are going to take it that each and every one of them is a person who is involved in the very trade association and industry which we are in the process of trying to regulate in the interests of the consumer, and not in the interests of the industry. Therefore it seems to us here that, if anything, that adds significant weight to the importance and value of the amendment which we have proposed, which indicates ministerial responsibility for a corporation, the directors of which are appointed by the Lieutenant Governor in Council and not more than one-third of whom are persons directly or indirectly involved in the industry as such.

As we said on second reading, in this area and in certain other areas of the bill, these are matters of extreme importance to us. We want to support the ministry in the bill but we cannot bring ourselves to support it on third reading unless the minister can accept the validity of the arguments which we put, simply because—just the same as became the case in many other areas of industry which have come under the direct supervision of your ministry—this is the particular industry which more than any other at this particular time requires, at least in the interim period with the commencement of this programme, the direct intervention of the government and the direct supervision of the government and the direct responsibility of the minister of the Crown for the operation of that programme.

Mr. Shore: As I understand it, when we debated this bill in principle, one of the points that apparently became clear, and it is clear to me, certainly, was that the concept of the bill was to try to develop a programme that would help protect the buyer of homes more than they have right now. The other concept was that there would be a purportedly and a desirable self-regulatory type of concept developed. As far as I am concerned, I sup-

port this. I am making an assumption and I accept the assumption, subject to the minister's correction if I am wrong, that the minister, through whatever process, and I haven't got the legal mind that the hon. member for Riverdale may have, and maybe I am fortunate in that to a certain extent—

Mr. Roy: Yes, you are.

Mr. Shore: —but I am prepared to accept the concept that it is self-regulatory. I believe in the principle of the self-regulatory concept until proved that it doesn't work. I am prepared to give it a try to make it work that way. I assume if it doesn't work that the minister has the power and this Legislature has the power to have it changed. Therefore, I support the people who have spoken in favour of this. I strongly believe that if the industry wants to make it work, it can make it work and we are here to see that it can work. I am sure if that attitude is taken we will get better results than I see in some other approaches to regulation.

I'm looking at the rent review and the rent control thing. I looked at the makeup of that body of rent review people. I don't want to get into a subject of discussion on that but that is a tragedy, what that body is made up of.

Mr. Renwick: Are you opposed to rent review?

Mr. Shore: I know the House leader for the NDP is shaking his ears and hair and so on and he's probably in hipboots and everything else. Regardless of that, I suggest we give it an opportunity to work and you will see that it can work.

[9:45]

Mr. Renwick: Do you have the bill in front of you?

Mr. Shore: I am not here to answer questions. I'm here to discuss the bill.

Interjections.

Mr. Deputy Chairman: Order, please.

Mr. Roy: You know you are out of order. You have been here a long time. You are out of order.

Mr. Shore: I would encourage that we take a positive approach to this bill. I am confident it can and will work. I haven't got the suspicious attitude and the negative attitude that some of the hon. members have on the right all the time.





Mr. Deans: I would like to ask a question with regard to a comment made by the minister. I think I heard him correctly, but before I make it I want to tell you, shaking ears and hair and wearing hipboots notwithstanding, that the reason we are here tonight talking about this is because the industry, to a greater or lesser extent, has been unable to perform adequately. That's why we need the bill. That's why the bill is here.

A great number of the builders that are now going to be required to respond to self-regulation were already part of trade associations in the Hamilton area. Some were part of the Metropolitan Hamilton Home Builders Association, for example, and in other areas they were part of similar associations set up for the purpose of, if not regulating, at least establishing reasonable standards for the self-same builders in other areas of the province.

I want to say to the minister and to the member for London North that my personal findings with regard to the industry are these. There isn't any doubt that the industry, like all industries, has some very excellent people within it. But the majority of homes that I have come into contact with over the last five years in my capacity here—the last nine years I suppose, but particularly over the last five years—have been built by much the same people. The same individual companies have come before me in a variety of different ways over the period of time.

This minister who is now professing such faith in that industry was the same minister who when he was the Minister of Housing approved many of the builders who built substandard homes. Let me be honest with you. When you were the Minister of Housing, and you had brought to your attention that certain of the builders were building far less than were acceptable standards, there was no effort made that I could see by the Ministry of Housing or its minister or anyone within it to stop those people from building under the HOME programme. You continued to build, notwithstanding the inadequacy of the job they were doing. And so now you say to me, have faith.

Mr. Martel: Have faith, yes.

Mr. Deans: These very same people have had pressure put on them by the minister and the ministry and have had brought to their attention on numerous occasions by the ministry and the minister that the accommodations and homes they were building for people in the Province of Ontario were at a level that was quite unacceptable. This minister, when he was in the previous

ministry as Minister of Housing, had the authority and the power to stop them from building and had the authority and the power to make sure that they could not force substandard housing onto a public that was incapable basically of being able to judge the standard of the home. But he wouldn't do it.

You had the opportunity to establish reasonable standards. And you had the opportunity to impose some form of regulation on many of the people that are going to be part of this very programme. So it is very difficult for me to accept having faith, unlike the member for London North who perhaps hasn't had quite the same degree of dealing in the same way. I'm not suggesting he hasn't had as much dealing in the field, but not at the same level as I have had dealing with the same people. It's very difficult for me to accept his comment that you simply trust them now and give them a chance, because they have had a chance. They have had chance after chance after chance. I can't trust the minister's judgement in the matter because when he was in charge of the Ministry of Housing, he was incapable of exercising the necessary jurisdiction to protect the very people over whom he had the control.

I recall hearing you say earlier tonight that this HUDAC New Home Warranty Programme was an arm's-length corporation, separate and apart from HUDAC, the trade association. Did I understand you to say that? You shake your head indicating yes.

Would you then explain to me how can it be an arm's-length corporation, separate and apart from the existing HUDAC operation, if the very people who are the directors and the same people who are the incorporators are part of the council of HUDAC? How can you rationalize that? How can they be arm's-length, on the one hand, and part of it, on the other? They can't. If these people are, as you say, part of the council of HUDAC and they are also the incorporators of this so-called arm's-length incorporation, then it just isn't possible.

Therefore, I ask you to reconsider that, because that can't be. You can't have it both ways. They can't be, on the one hand, sitting on the council of the one while, on the other hand, being the incorporators and directors of what you choose to call an arm's-length operation. As I said before, without going back over it, I find it neglectful of the public interest to take this approach to what has been a major problem confronting a great number of young people





in the Province of Ontario who are about to invest far more than they'll ever know in the major purchase of their life, to treat it so cavalierly and to take the approach that my colleagues in the Liberal Party take, that they'll give them a chance and see how it works. After all the experiences we have had with many of the builders who are going to become part of this very programme, in my opinion, this approach is neglectful of the public interest.

Mr. Roy: I'd just like to make a few brief comments about the legislation and about the amendment as proposed by the member for Riverdale. I want to say to the member for Wentworth, first of all—

Mr. Deans: Why don't you talk to the bill?

Mr. Roy: I am talking to the bill but I'm not optimistic of being able to convince that member because he's not given evidence of having that open a mind.

Mr. Deans: You have never given evidence that shows you know anything about anything.

Mr. Roy: In any event, I tell you what he has convinced me of—changing his position in a short period of time.

Mr. Deputy Chairman: Perhaps the hon. member would direct his comments to section 2 of the bill and the amendment by Mr. Renwick.

Mr. Roy: No matter how strong or how tight a piece of legislation it is, somewhere along the way there'll have to be an exchange of good faith on the part of the builders.

Mr. Shore: Not as far as they're concerned.

Mr. Roy: If the builders and the people involved in the home construction industry want to frustrate this legislation, there's no legislation that is tight enough, unless we get the good faith of certain individuals working within it.

The other point is if we were giving HUDAC, as this corporation which has been formed for the purposes of this programme is called, if we were giving them an open hand, if there were no regulations, and we just said: "Go out and have your warranty programme and administer it the way you want to," and if there were no guidelines, I'd express some concern. But it's not as though they're going to have a free hand

here. There's a certain amount of legislation here which will be controlling their activity. This whole programme has certain guidelines and certain criteria. The warranty applies to certain matters. There's a whole series of sections that deal with their conduct. It's not as though they're going to be operating on their own.

The concerns expressed by the members to my right are in some ways premature.

Interjections.

Mr. Shore: It's part of their paranoia.

Mr. Deputy Chairman: Order.

Mr. Roy: That party is posturing. If they think that having only one-third of the members from HUDAC is going to make the whole difference, I say to them they're being foolish and they don't understand the industry.

What we're trying to do in this case, basically, is to have some faith in the industry and to say to them: "These are the guidelines under which you will operate." We will require their good faith in any event. It's not the one-third that makes the difference. The party to my right should quit posturing and try to be more positive sometimes.

Interjections.

Mr. Deputy Chairman: Order, please.

Mr. Roy: It's not as though they have a free hand; there is legislation governing what they can do and what they cannot do. If we, as a party, feel over a period of time that this warranty programme is not working under the present system, then it is open to us to make certain amendments.

Mr. Renwick: For heaven's sake, how long can you wait?

Mr. Roy: For the member for Riverdale to suggest that only one-third of the members of HUDAC is going to make all the difference in the world, I think is being unrealistic—

Mr. Renwick: I didn't say that at all.

Mr. Shore: That's what you thought.

Mr. Roy: It means they're not reading the legislation and not understanding how the whole programme works. They don't know what they are talking about. We are prepared to have faith in the system and to see them operate under this present legislation—

Mr. Renwick: Read the amendment.





Mr. Roy: We're not prepared to stand here and posture with the people to our right.

Mr. Deputy Chairman: The member for Sudbury East.

Mr. Martel: Thank you for recognizing me, Mr. Chairman. You grace that chair well.

My friend from Ottawa keeps telling me about "keeping the faith, baby"; that's what he's really saying: "Keep the faith."

Mr. Roy: Have you read the legislation?

Mr. Acting Chairman: Will the member please speak to the question at hand?

Mr. Martel: Mr. Chairman, the minister wants me to have faith in the developers—

Mr. Roy: Give me a legal opinion there.

Mr. Martel: As the minister is aware, I am presently involved in a situation in Sudbury where we are trying to bring a developer to court—and all of the other developers will not even go in to estimate the cost of repairing the homes, which are presently in a state of decay.

Mr. Shore: Well, bring him in.

Mr. Martel: You want me to keep the faith, but how can I when I know that some 40 or 50 families whose homes, which cost in the neighbourhood of \$50,000, are in a state of collapse? This is confirmed by the Kettle report, which indicates that these five-year-old homes are in a state of decay—

Mr. Roy: You are out of order.

Mr. Shore: Have you read the Act?

Mr. Martel: You just be quiet.

Mr. Shore: Have you read the Act?

Mr. Martel: The solicitor who is acting on behalf of those people has attempted to get some of the other developers or builders to indicate what it would cost to repair those homes, and all of the developers refused even to quote what those costs would be.

Mr. Shore: I'll get you one.

Mr. Martel: Well, you might.

Mr. Roy: What has that got to do with this bill?

Mr. Martel: It has everything to do with this bill. You want us to have blind faith that developers—

Mr. Roy: You're blind?

Mr. Martel: Well, not blind. I'm not sure what you call it when no developer or contracting firm will come in and give the solicitor for the whole group—the minister himself told me we should get together; we have done that—

Mr. Shore: Don't bring in the red herrings. Leave the red herrings in Sudbury.

Mr. Martel: Following the minister's advice, they have hired a lawyer, who has attempted to get from the developers what the cost would be to repair the homes, but not one developer will say "This is what it's going to cost." Which means the solicitor doesn't have a thing on what the cost would be if we bring it to court in order to try—

Hon. Mr. Handleman: Why don't you ask HUDAC?

Mr. Martel: Why don't I ask HUDAC? Are they going to come to Sudbury?

Hon. Mr. Handleman: Yes. That's what the inspector is there to do.

Mr. Martel: I'm saying that at the present time, under the existing circumstances, those people who I represent can't get a developer to tell them what the cost will be to make their homes livable.

Mr. Shore: On a point of order, Mr. Chairman—

Mr. Acting Chairman: What is the point of order?

Mr. Shore: I am prepared to challenge the gentleman who says he cannot find a builder to give him a price.

Mr. Acting Chairman: That is not a point of order.

Mr. Martel: Mr. Chairman, what's his point of order? He doesn't have a point of order, so would he just sit quietly instead of trying to tell us we should have blind faith—

Mr. Roy: You are out of order.

Mr. Shore: We didn't say "blind faith."

Mr. Martel: Mr. Chairman, these Johnny-come-latelys want me to have faith—

Mr. Acting Chairman: I wonder if you would speak to the amendment.



Mr. Martel: These one-trippers want me to have blind faith, Mr. Chairman—

Mr. Acting Chairman: I don't think that has anything to do with this amendment. I wish you would speak to the amendment.  
[10:00]

Mr. Martel: We can't even get them to estimate what the cost will be in order to make the necessary repairs so that those people will be protected. If that occurs, what is the sense of this legislation?

An hon. member: Have you read it?

Mr. Martel: Yes, I've read it. I suggest that we can't accept this as it now prevails on blind faith, without the amendment proposed by my friend from Riverdale. The Liberals might accept it. They are willing to accept anything.

Mr. Shore: We didn't say "blind faith."

Mr. Bounsall: They will.

Mr. Martel: That was never so obvious as this afternoon.

Mr. Shore: No one in this party said anything about the words "blind faith." I want that corrected. Now is that a point of order?

Mr. Martel: Will you tell me what the point of order is?

Mr. Acting Chairman: I don't think you have a point of order.

Mr. Martel: That is twice the hon. member for London North has struck out. Will you sit down; you have struck out twice.

Mr. Acting Chairman: I wonder if the member for Sudbury East would return to the amendment.

Mr. Martel: I am trying to, Mr. Chairman.

Mr. Acting Chairman: Disregard the interjections from the other members.

Mr. Martel: I asked the minister, under the circumstances—the minister knows the case which I have written to him about—what do we do? Your Act doesn't have the strength—

Hon. Mr. Handleman: Yes, it does.

Mr. Martel: It doesn't. If the minister can convince me then I will be willing to accept that. But as I now see the situa-

tion in the area I represent, there is nothing. The contractors have said, "No, we won't offer the figure," and we can't get it to court despite the minister's suggestion that we do it. You tell me, Mr. Minister, how we can help those people to redraft this bill to what they are now—

Hon. Mr. Handleman: It says in the bill.

Mr. Martel: Yes, I read the bill. But there is nothing that says to me when the contractors refuse to tell me what the costs are going to be to make necessary repairs—

Hon. B. Stephenson: That has nothing to do with the bill.

Mr. Martel: So how can you get it to court? Because one of the things that you have got to say in court is what the costs will be to make the necessary improvements. Tell me how.

Mr. Roy: That has nothing to do with the bill.

Hon. Mr. Handleman: Mr. Chairman, I think I have to respond to that challenge.

Mr. Martel: I hope so.

Hon. Mr. Handleman: First of all, let's forget about what happened yesterday and talk about what will happen when we pass this bill—if you pass this bill. The first thing that would happen, before the owner moves in, they will be given a certificate of warranty. It will tell them that that house is warranted. He has one year to claim all the minor things, such as nails popping out, paint on the window, the cosmetic things that the member for Durham East talked about. These will all be cleared at the builder's expense in the first year. If there are major structural defects either in the first year or in the next four years, under the Act, those will be repaired by the council, not by the builder. You don't have to go to the builder. The council will do it.

There will be conciliation in the first year. These things will be insured by an insurance policy. The company that provides the policy will look after the structural defects. There is no problem whatsoever if you pass this bill. Help your people by passing this bill.

Mr. Shore: You have got to read the bill, Elie.

Mr. Martel: You have got to look at what is happening, not who runs the show. As it now prevails in Sudbury, the very gang you





re talking about will not give an estimate of what the cost will be to make those repairs and how do you bring it to the court if you don't know what the cost is going to be in order to make the necessary repairs? What happens when that occurs?

**Hon. Mr. Handleman:** Mr. Chairman, there is no question here about having to go to court to get the necessary repairs. The repairs will be done by the council—not by the builder who has caused the problem. The council. The council may also deregister the builder. You are talking about a situation where first of all there are no ground rules—there are no standards written down—and there are no penalties. You now have an Act before you, which, if you support it, will provide all those things to make sure the consumer gets what he paid for—the house clear of defects.

**Mr. Roy:** You haven't read the bill.

**Mr. Martel:** The hon. member for Ottawa East is the only one who can read in this Legislature, in français, too.

**Mr. Moffatt:** Mr. Chairman, I spoke on the second reading of the bill on some of the things that are being raised now in specific terms, but it is incredible to me that the members who have been involved with this government, and particularly the ministry, over the years—having seen what happens when such agencies that are designated by the particular ministry in this government, they know from experience what will happen. I went into this in blind faith, but not quite as blind as the member for London North. Because there is such a drastic problem in the home construction industry today, I was prepared to accept almost anything because currently, nothing can get done. Nothing happens.

I was prepared to accept this bill but it seems to me, after listening to the discussions and all of the points which have been made, that there is no assurance at all on the basis of the past history of this ministry that anything secure will be enabled through this legislation. What is going to happen, in fact, is a repetition of all of those other agencies and commissions which run around the province in the name of the government and live like parasites off the public instead of protecting them.

**Mr. Martel:** That's like putting Dracula in charge of the blood bank.

**Mr. Moffatt:** To me, this seems to be one of those times when we can look at what has

happened in the past and take appropriate action to prevent having to come back here six months or a year or two years from now and amend the whole thing to try to make it work.

**Mr. Roy:** And you will never know.

**Hon. Mr. Handleman:** The member for Wentworth asked me to respond to his specific questions. First of all, I have never asked anybody in this assembly to take matters on blind faith and I don't do that tonight.

**Mr. Deans:** I didn't use that term.

**Hon. Mr. Handleman:** I know, but some of you did. What you did say was that this is an industry which has been unable to perform. Those are the words, as I took them down, and they will appear in Hansard.

**Mr. Deans:** That's right.

**Hon. Mr. Handleman:** I suggest to you that that is not the case. What you have not had is performance up to the standards which are laid down in this Act on a universal basis.

**Mr. Renwick:** That is what we meant by performance.

**Hon. Mr. Handleman:** They can perform and they will perform.

Interjections.

**Hon. Mr. Handleman:** I think the whole idea of incentives and penalties seems to be something that is very difficult for members of the party opposite to come to grips with.

**Mr. Renwick:** No, it isn't.

**Hon. Mr. Handleman:** If you take a look at it, we are setting down standards. An organization has been set up to which we will give authority to police the industry. There has never been anything of that nature before. You were talking about OHC? OHC under this Act is not a builder.

**Mr. Deans:** I didn't say that.

**Hon. Mr. Handleman:** Okay, but there would be a builder. A builder who is building home units or any other units, whether they are AHOP federally or HOME provincially, is a builder who has to register, who has to meet the standards, who has to provide the warranty and who can be deregistered. There is no authority in the Minister of Housing to deregister a builder. When I was Minister of Housing—





Mr. Deans: But you didn't have to hire them again!

Hon. Mr. Handleman: In most cases, they were not. If they had bad performance, their bids were not accepted.

Mr. Deans: What about Hamilton?

Hon. Mr. Handleman: I don't know about the Hamilton situation. I can tell you this that in many cases across this province the ministry was under great pressure to appoint builders who had not performed and they were turned down in many cases.

Mr. Deans: And in many they weren't.

Hon. Mr. Handleman: I can't comment on that particular case. I do know that that occurred. In this situation we will have a council which will not hesitate because it will be to its own advantage and to the advantage of the industry to take out the expensive builders. It is the builders who cause problems who will be expensive for the council to underwrite. The council has to make the repairs; they can get rid of the bad ones, which I think they want to do. They will deregister them, though they will have the right of appeal, as I think they should have. The rules of the game change the day that this bill becomes law.

Going back over the ancient history of some of the failures in the industry, they simply are not constructive.

Mr. Renwick: The people who establish the rules are going to control it.

Hon. Mr. Handleman: I just want to say one word to the member for Riverdale.

Mr. Renwick: I am not talking about legal responsibilities, I am talking about cabinet responsibilities.

Hon. Mr. Handleman: He knows and I know that there are certain areas where ministers should not be held accountable but he also knows the political reality. I have been in this ministry now for almost a year and a half. Not once in this House has anybody stood up and said: "Would you get me a report from the LCBO?"

This minister and this ministry and my successors will take the responsibility for those agencies which come under our legislation. I was responsible for guiding the legislation through. I am responsible for what they do and I have accepted that. I have never tried to evade it nor has any member here ever recognized that there is no legal responsibility or accountability.

I suggest that when the member for Sudbury East has problems up in his area, when this bill becomes law, he is going to stand in this House, if he is still here—

Mr. Martel: I will be here a lot longer than you.

Hon. Mr. Handleman: —and demand satisfaction from me or my successor, and whoever sits in this portfolio will try to give it to him through the council.

Mr. Deans: You say if you were asked about problems that arise after the bill is brought into being, that all we need do is rise in our place and tell you and you will make sure that the qualities that are set out in this bill are adhered to. Listen, my friend, when you were the Minister of Housing, I stood in my place and I raised time after time after time incidents and examples of workmanship which was not only shoddy but which was close to being, if not already, at the point where the construction itself was in jeopardy. I rarely, if ever, got satisfaction: rarely, if ever. Now, I'm telling you I went back there—

Interjection.

Mr. Deans: I took and showed your inspectors and the ministry officials where they had torched out the main I-beam in order to get head room in the basement—and without putting in any support and without understanding what they had done. These builders, who were accepted by you through the Ontario Housing Corp. to build under the HOME programme, were then given additional houses to build in spite of the fact that they placed those people and that home and that investment in jeopardy. And you stand in your place and tell me all I've got to do is raise it with you and it will be solved. That's a lot of nonsense, and you know it.

Hon. Mr. Handleman: I didn't say that.

Mr. Shore: Mr. Chairman, if I ever have an opportunity of retaining an historian, I think I would appoint the hon. member for Wentworth as my senior historian. But we are talking about today and tomorrow.

Mr. Deans: Why don't you sit down?

Mr. Acting Chairman: Order, please.

Mr. Roy: Why don't you do that; you've been on the bill for the last two hours.

Mr. Acting Chairman: Order, please.



Mr. Shore: I gather that the hon. member for Wentworth doesn't care to hear what I have to say. If he would spend a little more time listening to what somebody else has to say, and a little less to what he has to say, we might be able to advance this argument a little further.

Interjection.

Mr. Acting Chairman: Order, please.

Mr. Shore: I have enough faith in the industry and the trades people who make up the industry to believe they can make this thing work. For some reason or other, the hon. member for Sudbury East has not read this bill to the hon. member for Wentworth, and neither one of them seems to know what's in it.

Interjections.

Mr. Shore: And I would suggest, therefore, that after having looked at it, they might understand what it really means.

Mr. Acting Chairman: Mr. Renwick has moved an amendment—

Mr. Renwick: Mr. Chairman, if I may comment on that just very briefly. We knew when we introduced the amendment that the members of the Liberal Party would not support it. So they don't need to repeat their arguments; we knew them right from the very beginning.

Interjections.

Mr. Renwick: What we are saying is that the reason this legislation is before the assembly is the inadequacy of the industry.

Mr. Shore: I hope the member for Wentworth didn't go home mad.

Hon. Mr. Handleman: He did.

Mr. Renwick: The natural consequences of inadequacy of an industry is in the way in which the Conservative government for the last 20 years has dealt with those situations. It has provided a registrar, under the supervision of the director within the ministry, who carries out the function of the licensing of the particular persons who are going to be on trade in the industry and who makes sure that compliance takes place. It is very tightly controlled and it is within the ministry. That is the purpose of it. That's fine. We know that that was the right road to follow. It is tried in this bill to indicate to the minister that he could go the corporate route; we don't mind that at all.

All we are saying is that if you are bringing in a bill, which by the very introduction of the bill recognizes the deficiencies of the industry with respect to their standard of behaviour, you don't then appoint the industry to supervise the enforcement and the supervision of the Act. And that's what you have done.

The interposition of this particular corporation is not an arm's-length arrangement; it is controlled by the industry. And we do not think that your ministry has the capacity to understand or to be anything other than the apologists for the industry if you accept that corporation as the body that is going to be charged with the supervision and enforcement of it.

We are talking about a corporation directly responsible to the minister; directly under the supervision of the director of his ministry responsible for consumer protection. We are talking about a ministry which will have the benefit of the experience of the members of the board of directors of the corporation. There should be directors of that corporation who have knowledge in the area, but also other persons will not be members of the industry.

[10:15]

It is a multi-pronged attack to make certain that the corporation has an independent status, with respect to the responsibilities which it is to discharge. The motivation for all of our amendments, for anybody who is interested in understanding what our motivation is, is very simple. For the great majority of the citizens of the province, the investment in a home is the largest investment which most people will ever make in the course of their lifetime and it is not a once-and-for-all investment for most people. It's a continuing investment over many, many years and it is the protection of that investment, by the great bulk of the majority of the citizens of the Province of Ontario, that leads us to introduce each of the eight amendments of which this is the first one.

They are matters of principle with us. We wanted, in good faith, to give the ministry the benefit of the doubt and say, all right, we'll support it on second reading but, as I say, this is one of the areas which, if the ministry will not accept it, after the debate which takes place and it is quite obvious it's not going to be accepted, then it will lead us, of course, to oppose the bill on third reading when it comes before the House.

Mr. Cunningham: Very briefly, Mr. Chairman, I must respond, I think, to what I con-





sider to be some unfair and unnecessary aspersions that are being cast upon the industry as a whole.

An hon. member: What is the bill here for?

Mr. Cunningham: If you're going to comment, would you take your seat, please? That's all I can ask you.

Mr. Deputy Chairman: Order, please.

An hon. member: They brought this bill in for nothing.

Mr. Deputy Chairman: Order, please. If the hon. member for Sudbury East wishes to comment, he should return to his seat and do it in the normal way.

Mr. Cunningham: Mr. Chairman, I don't think any of us here, at least from my point of view, could cast an unnecessary aspersion upon HUDAC. We, I think, believe and would look forward to the premise that this is an industry that could self-regulate itself, given the fundamental legislative framework, that we're attempting to provide here today. I've listened to, and I'm sure that we would all agree, that there have been some bad apples in the housing industry just as there would be bad apples in the legal profession and the medical profession or any other area of business within this province.

To attack, unnecessarily and unfairly, the members of HUDAC without example, I might add, I think is to say the least, unfair and I think it is creating a rather pervasive start for this entire legislation. I want to tell you I reject it. I have some fundamental faith, I think, in this industry and I would hope that the members of that association, most of whom I believe are sincerely dedicated to the concept of providing good and adequate housing for the people not only of Ontario but Canada, are willing to self-regulate themselves. As an optimist, I would prefer to think that the glass is half full rather than half empty and to that end all I can say is that I support this legislation. I support the concept of self-regulation and I hope that it carries.

Mr. Deputy Chairman: All those in favour of Mr. Renwick's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

Shall this vote be stacked?

Agreed.

Sections 3 to 12, inclusive, agreed to.

On section 13:

Mr. Renwick: Mr. Chairman, may I have your guidance on section 13 of the bill, in the way in which we should proceed in connection with it? Four of our amendments deal with this section. Would it be acceptable to the committee to deal with them subsection by subsection?

Mr. Deputy Chairman: Is that agreeable to the committee?

Agreed.

Mr. Deputy Chairman: Mr. Renwick moves that section 13 of Bill 94 be amended by inserting after clause (b) of subsection 1, the following clauses:

(c) that the site of the home drains properly;

(d) that there will be no subsidence of the land beneath the footings of the home or around the building, or along utility lines;

and that item (h) of subsection 2 be deleted.

Mr. Renwick: Let me say that the deletion of item (h) of subsection 2 is simply because we moved the substance of that up into subsection 1, and it therefore could be considered a consequential amendment.

[Mr. Chairman, if I may speak to the problem, I think—and certainly other colleagues of mine can speak to it—there is no question whatsoever that one of the major problems with respect to homes is the question of the drainage of the lot or the site on which the home is erected. I would think if one made an assessment, that could be categorized as the major complaint that purchasers of homes have with respect to the enjoyment and satisfaction of the home they have purchased.

[We have therefore provided that rather than leave that warranty in the bill, simply as a warranty which may or may not be prescribed by the regulations, we think it is a significant and fundamental warranty which should be provided and which every owner should be responsible for. We have moved that.

The second part of our amendment is simply in substance for practical purposes to make it a warranty that the subsidence question becomes a warranty and not be excluded as it presently is under subsection 2.

May I say that we do not for one single moment think the amendments dealing with those two matters will of necessity clear up all the problems which are involved in the nature of the warranties provided in subsection 1, or of the exclusions provided in subsection 2. I think, however, that we would





have to take the position that experience would have to dictate whether or not there should be changes in those areas.

The ones which we do feel very strongly about and about which we think the evidence is available and my colleagues—particularly the member for Wentworth—can speak to if they choose to do so, are the problem of drainage and the problem of subsidence. In most cases these are related to the water table, the flow in the drainage of the land surrounding the site on which the home is to be brought.

I would hope that the minister would consider that he could accept those amendments.

**Hon. Mr. Handleman:** Mr. Chairman, with regard to the first part of the amendment, where you say "the site of the home drains properly," it is my understanding that site plan approvals at the municipal level, the original subdivision plans, all of these factors are taken into account in the approval process. I recognize fully that there are drainage problems. I would suggest to you that any incidental drainage problem which occurs in the construction of the house or because of not proper siting would be covered by the good workmanship clause. It is our view that the experience of other jurisdictions where they have had home warranty plans does not indicate this to be a major problem.

The problem of definition is obviously enormous, to determine whether or not the site of the home drains properly. What we are concerned about is that the home be constructed with drying—that's the major thing.

**Mr. Deans:** With what?

**Hon. Mr. Handleman:** It should be dry. The basement should be dry. There should be no seepage into the basement. Those are the things I think that are covered by the good workmanship clause and in other jurisdictions there has been no problem with that. The second part of the amendment, of course, adds something that we had exempted in the Act—again in accordance with the experience of other jurisdictions. That is the substance of the land around the building or along utility lines. First of all, this is certainly not a serious structural problem. It is the kind of cosmetic thing as the member for Durham East says. There is going to be, inevitably, without question, subsidence around the foundation of a house. The back building is going to fill in. It is going to settle because it was loose when it was put in. It has to settle. To hold the builder res-

ponsible for that kind of inevitability, would seem to me to be making protection a farce. The other part of it, subsidence under the footings, there is no question about it. It has to be covered, and it is. It is covered in our Act because we say, other than subsidence beneath the footings of the building.

**Mr. Renwick:** I agree. As a matter of fact it is not covered but presumably you will make it a warranty under the regulations.

**Mr. Deans:** There has been a great deal of difficulty. I want particularly to deal with my colleague's subsection 3, because there has been a great deal of difficulty over the drainage and the site plan approval and the responsibility for enforcement of that site plan approval. I want to suggest to you that many of the difficulties that confront most of the owners, at this point in time, with regard to dampness and wet basements is simply because of the lack of concern on the part of the developer and builder for the proper drainage of the properties.

It would seem to me that if, as part of the final inspection, and therefore, as part of the certificate of warranty, that was given to the owner, that there was then the guarantee that not only had the house been inspected for structural and cosmetic deficiencies, but that the land upon which the house was situate had also been inspected, with regard to whether or not it had been properly located on site and whether or not the drainage patterns which had been filed with the municipality and the site plan which had been filed with the municipality, had been properly discovered it, to file two site plans for two of the warranty.

The reason I raise it with you is because it must extend beyond that single lot itself. It is not nearly enough for the builder to say well I am supposed to have a one foot, three-inch drop in the property, back to front, and I have provided that and I am supposed to have it running east to west in order that the water will drain from some point to the east to some point in the west. If, in fact, when the adjacent properties are also completed they don't conform and, by that I am saying that it is possible we have discovered it, to file two site plans for two separately owned properties, both of which are ultimately approved but neither of—boy, this is hard—

**Mr. Deputy Chairman:** Order, please. Order, please.

**Mr. Martel:** Sorry.



Mr. Deans: Oh, it is not you. I don't care about you talking. I can't see. I like to see who I am talking to.

Mr. Deputy Chairman: Unfortunately, the Chair cannot hear the hon. member's comments because of the noise on my right. Would the hon. member continue, uninterrupted?

Mr. Deans: So that I would like to—knowing that I have the Treasurer's (Mr. McKeough) support—I would like to think that the minister would be prepared to include that because it gives an added protection. It is an added protection, not only to the purchaser, but it is an added protection to the builder himself. It adds further to the overall protection of the builder that these things be conformed to and that the builder be told, in the first instance, that you will not only have to conform but you are going to be held responsible for any deficiency in conforming.

I think you can put it in there without any fear of creating a problem, and if the faith that my colleague for Wentworth North speaks of is there, then I would be happy, if it turns out to be there—delighted! But at least we will have guaranteed that we won't then continue to be faced with the difficulties.

Let me give you one final example in the next 30 seconds. I want particularly to draw your attention to some situations that I have seen that have arisen. When a person purchases they don't have an overall site plan for the entire block of the area but rather all they get is their property and the properties immediately adjacent thereto. If the properties immediately adjacent thereto are not being developed at the time, there is no way to tell exactly what the drainage is likely to be from those properties. You can't assume

that the property, the lay of the land and the drainage patterns that are there prior to development will be maintained. That is point one.

The second is that on numerous occasions there has been as much as 10 or 12 feet of distance between one property and the property immediately adjacent thereto. The runoff and damage that is caused as a result of that is monumental to the people who move in. I frankly think that you would be failing in your responsibility if you didn't ensure that that was part of the overall warranty.

Hon. Mr. Welch moved the committee rise and report and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Deputy Chairman: Mr. Speaker, the committee of the whole House begs to report two bills without amendment and asks for leave to sit again.

Report agreed to.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House I would like to indicate the order of business for tomorrow. Tomorrow afternoon there is a government notice of motion dealing with the estimates of the Ombudsman which we will deal with first. We will then do second reading of Bill 81 standing in the name of the Minister of the Environment (Mr. Kerr), following which we will then continue with legislation in committee.

Hon. Mr. Welch moved the adjournment of the House.

The House adjourned at 10:30 p.m.





## APPENDIX

(See Hansard No. 86, afternoon session, page 3411.)

Answers to questions were tabled as follows during the afternoon session.

33. Mr. Godfrey—Inquiry of the ministry:

Can the Minister of the Environment assure the House that the water supplies next to the Owen Sound municipal dump in Derby township have not been contaminated by the municipal dump and that results of water testing will be tabled within the next 10 days?

Answer by the Minister of the Environment:

Staff of the Ministry of the Environment have conducted studies in the area of the Owen Sound municipal sanitary landfill site and a report entitled "Impact of the Owen Sound Sanitary Landfill on Domestic Water Supplies, Derby Township, Grey County" has been forwarded to the city, with copies to the township of Derby and three property owners whose wells have been affected. The study indicates that two domestic wells supplying three families have been adversely affected by the operation of the sanitary landfill. The sampling results upon which this conclusion has been made are included in the report.

The report makes suggestions on remedial action and recommends that the city engage a consultant to evaluate alternatives for corrective action. The report was released during the early part of May and it is our information that the municipality has already engaged a consultant.

Limited quantities of the report are available from our Owen Sound district office or London regional office.

45. Mr. Angus—Inquiry of the ministry:

Would the Minister of Industry and Tourism advise the process for selection of a caterer to provide food and beverage services for events held at the Big Thunder Ski Jump in Thunder Bay?

Answer by the Minister of Industry and Tourism:

Bids were invited from three local catering firms to obtain concession for sale of food and beverages at Big Thunder during competitions. Bids were for period Jan. 1, 1975 to Dec. 31, 1976.

The Board of Thunder Bay Ski Jumps Ltd. accepted the tender which would provide the greatest return to Thunder Bay Ski Jumps Ltd.

104. Mr. Stong—Inquiry of the ministry: Is the Ministry of the Environment taking any steps to correct any excess quantities of nuisance substances such as methane, iron and manganese in the water supply of the village of Beeton? Is the ministry prepared to offer compensation to the residents of Beeton?

Answer by the Minister of the Environment:

Technical staff of the Ministry of the Environment are continuing to work with village personnel and their consultant to correct operating problems being encountered with the water treatment facilities installed to remove methane, iron and manganese from the water available to the village.

While the ministry does not have funds available to assist a municipality in offering compensation to the customers when water quality problems are encountered, the ministry does provide technical assistance to assist in correcting problems.

In the case of Beeton, the water obtained from the available well is of poor quality and requires a specially designed treatment works to produce a satisfactory water. The works now in place were designed from data obtained from pilot plant studies. When the new system was first placed in operation, a satisfactory quality water was produced. However, with time a chlorine resistant bacteria fouled the filter media reducing the effectiveness of the system. Recently, the filter media was replaced and at the present time, the effectiveness of the new media is being assessed while at the same time a higher than normal chlorine residual is being applied to the influent waters. As indicated above, the ministry staff will continue to assist the municipality in providing solutions to their water treatment problems.

107. Mr. Germa—Inquiry of the ministry:





What programme of radium 226 control has the ministry implemented on the drainage from the tailings area of Stanrock and Canmet uranium mines and on the Sheriff Creek?

Answer by the Minister of the Environment:

After acquiring the Stanrock-Canmet property, Denison Mines undertook engineering studies on the property and subsequently made application for a certificate of approval for the construction of effluent treatment facilities in Moose Lake. The facilities are designed to control radium 226 as well as pH and heavy metal concentration in the effluent discharging into the Pecours Lake subbasin. The above proposal has received approval by the Ministry of the Environment and negotiations are now nearing a conclusion between Denison Mines and North America Nuclear (the latter controls the surface rights to the Moose Lake area) to allow Denison the usage of the required surface area. The above facilities are expected to be operational by the end of 1976.

With respect to Sheriff Creek, this is one of a number of water quality problems identified in an extensive survey of active and inactive mining properties, conducted in 1975 in the Elliot Lake area. Ministry personnel in the northeastern region will be developing abatement programmes to deal with these. It should be noted that while the quality of Sheriff Creek is less than desirable it has minimal impact on Elliot Lake itself.

110. Mr. Cassidy—Inquiry of the ministry:

What was the total number of classified employees employed by each ministry and by the government of Ontario as a whole at March 31 for each year from 1970 to 1976? For each ministry and for the government as a whole, what was the number of unclassified contract employees at these dates? If there are any other categories of employees working for the government, what were those categories and how many employees were there for each ministry and for the government at these same dates?

Answer by the Chairman, Management Board of Cabinet:

With respect to the number of classified employees employed by each ministry, and the government as a whole for each year from 1970 to 1976, this information is available for the years 1970 to 1975 from the annual reports of the Civil Service Commission, and will be available when the 1976 annual report of the Civil Service Commission is tabled in the Legislature.

With respect to the total number of unclassified contract employees, this information is not available. Ministries are not required to report this information on a regular basis, and the total number is subject not to complement control, but rather to a dollar control.

The most recent, complete total of unclassified staff is contained in the answer to Question No. 1 of this session.

With respect to the other category of employees, there is only one and that is Crown employees. There is no up-to-date information on this category for much the same reasons as outlined for unclassified staff.



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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Thursday, June 17, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
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# LEGISLATURE OF ONTARIO

THURSDAY, JUNE 17, 1976

The House met at 2 p.m.

Prayers.

Mr. Acting Speaker: Statements by the Ministry.

## CIVIL SERVICE ARBITRATION AWARDS

Hon. Mr. Auld: Mr. Speaker, arbitration awards have been received from Prof. Kenneth P. Swan and Mr. Howard D. Brown, chairmen of the arbitration boards for the administrative services and scientific and professional services categories respectively.

The estimated cost of the administrative services award is approximately \$8.5 million and that of the scientific and professional services approximately \$5.3 million. The average increase is estimated at 13.7 per cent and 13.25 per cent respectively for a one-year term. The boards rejected the union's request for a cost-of-living formula.

Since the awards must be submitted for consideration by the Anti-Inflation Board, the government is not in a position to implement the awards until we know the extent to which they will be sanctioned by the Anti-Inflation Board. The Ontario Public Service Employees Union has requested that the full terms of the awards be implemented immediately. However, as hon. members are aware, any payment in excess of the amount recommended by the AIB could be subject to an order of the administrator, which could include a rollback and appropriate fines and penalties.

Since some time may elapse before the Anti-Inflation Board can deal with these cases, we are investigating the possibility of some interim payment for the employees concerned. Such payment of course would be within the permissible increase allowed under the arithmetic guidelines and would take, with the number of people involved, probably some eight weeks to implement.

## TEXTILE IMPORTS

Hon. Mr. Bennett: Mr. Speaker, further to the statement I made on May 3 relative to

the textile and clothing industry, my colleagues, the Provincial Secretary for Resources Development (Mr. Irvine) and the Chairman of the Management Board of Cabinet (Mr. Auld), and I visited primary textile and related chemical operations in Millhaven, Kingston, Maitland and Long Sault on June 11 past. We are intensely concerned about the conditions in which these industries operate currently, about the recent layoffs, the temporary shutdowns, and the current failure of the federal government to implement its own textile policy to provide Canadians competitive opportunities such as those established by the United States and the European Economic Community.

Throughout what I have to say here today, sir, I emphasize the apparel industry is suffering the same problems. In other words, they are in the same boat as the textile industry. These industries are interrelated and inseparable. The health of one is inevitably reflected in the health of the other.

What we saw at first hand on Friday past was investment of some \$410 million in four world-scale plants. It would cost at least \$850 million to replace those plants in our province today. They are streamlined, efficient and as technologically advanced as any in the world. They epitomize the height of sophisticated engineering, machinery, control systems and research, employing highly skilled, industrious work forces.

In the units visited, the companies have a total amount of \$1.6 million payable to municipalities for community property taxes, and their direct payroll exceeds some \$64 million. These industries provide critical support to their communities, representing employment for more than 4,200 people, and both the union representatives and the management alike are profoundly anxious that these operations continue. I emphasize, so is the government of this province. The erosion must be arrested. Both the apparel and textile industries expect a textile policy to provide them a market with the scale to be competitive and fully efficient in their operations; the government of Ontario also expects that from its policy.

In the United States, since 70 per cent of their imports are subject to restraint through





comprehensive bilateral agreements, more than 85 per cent of the total market in the United States is served by domestic manufacturers. The European Economic Community operates in a similar manner, with the result that 75 per cent of its markets are supplied by domestic production.

It is noteworthy that most of our textile and apparel industries achieved excellent economic performance when their facilities and personnel were operating near capacity. These industries could play a significant role in the upgrading of Canadian end-products of our oil and gas resources.

With only six per cent of its imports under restraint agreements, Canada has faced abusive and disruptive import activity, which in turn has contributed significantly to the trade imbalance of \$1.2 billion last year. This has meant that our industries don't even have the opportunity to operate efficiently. There have been failings in the implementation of the current national textile policy.

On May 3, 1976, I reported to this House on the inaction of the federal government in the face of disruptive imports in the polyester market. It is now more than one month and still no action has occurred. As I predicted at that time, further significant losses in employment have occurred in Hawkesbury and Kingston, in addition to the two previous losses already reported to this House. Other communities have been affected, such as Cambridge, Cornwall and Millhaven, where unemployment has also existed in the textile industry.

As long ago as May, 1970, the Department of Industry, Trade and Commerce promised to establish development and productivity centres for the textile and apparel industries to assist them in deriving the full benefits of new technology and new products. Six years later we are still waiting.

My ministry expects to make an important contribution to strengthening and, if necessary, modifying the national textile policy through participation in the ad hoc textile manufacturing committee established by Mr. Jamieson. We have found extremely helpful the response that interested associations and related industries have made to our sector analysis. As one interim move, Ontario recognizes that the federal government must respond more expeditiously to recommendations made by the Textile and Clothing Board to reduce the disruptive imports to which I have already referred.

Details of our recommendations from the ministry will be tabled very shortly in this

House. I can advise you, Mr. Speaker, that in conceptual terms we will be pressing for comprehensive agreements on a bilateral basis with selected signatories of the international textile agreement to provide our industries with economic opportunities similar to those by the governments in the United States and the European Economic Community.

While the percentage cannot be precise at this time, as it is the subject of continuing government-industry discussions, we certainly endorse the federal Senate commerce committee recommendation that our primary producers, on an overall basis, obtain at least 65 per cent in the physical units of the domestic market. Measures to bring this about should be initiated immediately.

The government of Ontario will continue to urge the federal government of Canada to take the action necessary to return the present 46 per cent share of the domestic market which was established in 1973 back to the 1963 percentage of 65 per cent of the market that I previously mentioned.

You will appreciate, Mr. Speaker, that in that 10-year period Canadian industry has lost 19 per cent of its domestic market. With the trend underway, the 6,000 jobs that we have lost in this industry in the last two years could be reinstated, and industries may be encouraged sufficiently to provide the necessary investment to maintain their operations and develop them further in the national production.

Mr. Acting Speaker: Oral questions. The hon. member for Wentworth.

#### MERCURY CONTENT OF FISH

Mr. Deans: I have a question for the Minister of Natural Resources. Given the statement today in the Toronto Star, attributed to Louie Halley, that he is continuing to encourage not only the catching but also the eating of the fish from the English-Wabigoon River system, and given that there appears to be irrefutable evidence that there is a level of mercury in those fish higher than is desirable, does the minister not think that perhaps the Fish for Fun programme really isn't working and that he should investigate whether this is more widespread than just the one tourist operator, and make some decisions with regard to whether or not we ought to ban fishing in that area altogether at this time?

Hon. Mr. Bernier: Mr. Speaker, that particular question should be directed to my colleague, the Minister of Health.





Mr. Deans: Let me redirect it. I have two or three questions for the Minister of Health, if somehow he would come in today. I hope he is well. In any event, I'll ask him if he comes in.

### HOSPITAL WORKERS' AND PUBLIC HEALTH NURSES' NEGOTIATIONS

Mr. Deans: Let me ask the Minister of Labour: Given that the Ministry of Labour has the responsibility for at least overseeing the bargaining-in-good-faith portions of the Labour Relations Act, does she not think it would be useful if she and the Minister of Health were together to meet with both parties in the hospital dispute—not only in the hospital dispute but also both parties in the public health nurses' dispute—and to set out clearly what kind of obligation the Ministry of Health will have with regard to providing the necessary funding in order that bargaining in good faith can take place and in order that a satisfactory resolution of both of the disputes can be found immediately?

Hon. B. Stephenson: Mr. Speaker, while I doubt that the monetary issue is the only factor involved in either of these situations, I might tell the hon. member for Wentworth that the Minister of Health and I both met with the nurses yesterday and will both be meeting with the representatives of the Association of the Boards of Health today.

The negotiations between the Canadian Union of Public Employees and the 59 hospitals in which their members are presently employed, began yesterday morning at 10 a.m., continued until approximately 10:30 or 11 o'clock this morning and will resume later today, I am informed. The negotiations, I gather, are going satisfactorily at the moment and a great amount of energy is being put into this set of negotiations by the Ministry of Labour specifically.

Mr. Deans: A supplementary question: Is the minister not concerned that the Labour Relations Board found that it was virtually impossible to bargain in good faith given the interference by the Ministry of Health in terms of providing sufficient funds? Does the minister not think that an appropriate directive from the Ministry of Health in both instances, both to the public health nurse situation and also to the hospital situation, with regard to the willingness of the government to provide the moneys necessary to find a resolution to the dispute is almost mandatory

before the bargaining-in-good-faith sections of the Act can be complied with?

Hon. B. Stephenson: Mr. Speaker, I would remind the hon. member for Wentworth that, in fact, the bargaining unit in both of these instances is not specifically the Ministry of Health. There is some Ministry of Health input into this and I am sure the ministry has, in fact, on a number of occasions informed both of the employer groups regarding questions that have been raised by those employer groups in the area of funding for the possible increment which the employees in each situation are requesting. I suppose, in view of the statement made by the Labour Relations Board, there would be some benefit to be gained to have a direct statement from the minister to the negotiators. But I think I will have to raise that question with the minister myself and I have not had the opportunity to do it since the Labour Relations Board report was issued.

[2:15]

Mr. Deans: Do it.

Hon. B. Stephenson: Yes.

Mr. Acting Speaker: Does the hon. member for Wentworth have more questions?

### FARM INCOME STABILIZATION PLAN

Mr. Deans: Yes, I have two other questions actually. A question for the Premier: Given that we have now got over yesterday's shenanigans, would it be possible for him to make a clear statement to the House with regard to what the government intends to do, how it intends to respond to the clear directive of the Legislature with regard to the farm income stabilization programme?

Hon. Mr. Davis: I don't know that I could associate myself with the words used by the acting Leader of the Opposition as to his description of what happened here yesterday, unless he was just referring to his own and his colleagues' activity.

Mr. MacDonald: Just answer the question.

Mr. Deans: I was referring to the Premier.

Hon. Mr. Davis: We certainly took the matter seriously yesterday.

Mr. Deans: As seriously as Simcoe Day?

Mr. Acting Speaker: Order, please.

Hon. Mr. Davis: If the member for Went-



worth really wants to suggest what he indulged in yesterday were shenanigans, that's up to him. Certainly on this side of the House we didn't so regard it.

Mr. Deans: The parallel the House leader drew was with the importance of Simcoe Day.

Hon. Mr. Davis: It was the member's colleague who used the word "shenanigans." I certainly would never refer to that as it relates to any activity in this House. Sorry, Mr. Speaker, what was the question?

Mr. Deans: The importance of Simcoe Day.

Hon. Mr. Davis: No, it wasn't Simcoe Day.

Mr. Renwick: The Premier doesn't sound very confident.

Hon. Mr. Davis: Oh, I would say to the member for Riverdale—

Interjections.

Mr. Acting Speaker: Order, please. Would you allow the hon. Premier to answer the question?

Mr. Martel: The Premier is the one who is asking the questions.

Hon. Mr. Davis: Mr. Speaker, as it relates to the amendments that were passed on Tuesday evening, the government is very carefully analysing them. We are quite interested in having consultation and communication with the farm community, something which this government has always done and will continue to do so. I can assure the acting Leader of the Opposition that, as the next weeks go by, he will sense our reaction to the advice that we have received from the Legislature. I want to make it abundantly clear that, while there are occasions we don't always agree with the advice we receive, we none the less respect the will of this House and, of course, this government will make every effort to reflect that advice.

Mr. Mackenzie: Supplementary: Does the Premier by that mean we will get whatever we are getting by way of regulations when the House is not in session?

Hon. Mr. Davis: When?

Mr. Mackenzie: When the House is not sitting?

Hon. Mr. Davis: I don't know how the hon. member could read that into my remarks at all.

Mr. Warner: We are going on experience. We remember the hospitals.

Mr. Acting Speaker: Does the hon. member for Wentworth have further questions?

Hon. Mr. Davis: If the member had been here a little longer, he might know a little more about experience.

Mr. MacDonald: Supplementary: I would like to tie that answer to the answer yesterday. Is the Premier forgoing the route he outlined yesterday of using orders in council and designating any product the government sees fit rather than coming back with the bill to this Legislature?

Hon. Mr. Davis: I think it is quite obvious that the bill that was introduced, which the opposition in its wisdom, or lack of, voted against, and which would have provided a very excellent start towards a farm income stabilization programme, is still in general terms the objective of this government.

Mr. Deans: It wasn't the start. That was the end.

Mr. Cassidy: A start? The Premier is changing his stand.

Hon. Mr. Davis: I would be very disappointed if the hon. member for York South (Mr. MacDonald) really would suggest to this government that if a particular situation or situations were to arise within the agricultural community over the period of time that he may be, like his leader, sojourning at a cottage somewhere where I happen to know he goes—

Interjections.

Mr. Acting Speaker: Order.

Hon. Mr. Davis: —that we would not as a government move in to try and solve that problem. I have to say to the member for York South that if there is a situation that requires the attention of this government, then this government will deal with it.

Mr. Cassidy: You are flip-flopping almost as much as Smith.

Mr. Reid: Mr. Speaker, doing away with the ad hoc situation, does the Premier not feel that he and the government would be in contempt of the Legislature if they didn't follow the will of the majority as expressed the other night in the House?

Hon. Mr. Davis: Mr. Speaker, of course, that's not what I said. The hon. member is far





too perceptive, and I know he is really attempting to be a shade provocative.

Mr. Reid: Never.

Hon. Mr. Davis: I will say to him, dark glasses and all, to repeat what I've said, we certainly respect the will of this House. I've been here for several years myself—some will say too long but there are others who have been here longer—and I intend to stay quite a while longer yet. I would say to him that certainly we will respect the will of this House but at the same time—they're not all here today—there are some of his colleagues who have some knowledge of the agricultural community, and I say that with respect.

Mrs. Campbell: Because it is true.

Hon. Mr. Davis: The member for St. George—I would not put her in that category; I think, in fairness, I wouldn't.

Mrs. Campbell: Thank you.

Hon. Mr. Davis: I won't say what category I would, but not in that one. I'm glad the member is laughing today. As I said yesterday it really can be fun and one should laugh more often.

Mr. Acting Speaker: Order, please. Could we return to the answer to the question?

Hon. Mr. Davis: I would say to the hon. member and president of the Labour-Liberal Party of Ontario that, once again, if this government senses it has an obligation to move in and meet a situation, as we did with the cow-calf programme—

Mr. Reid: This is on an ad hoc basis.

Hon. Mr. Davis: —and I haven't heard anybody across the House saying we should not have done that—I would say to him that we will, of course, move in if necessary to assist the farm community.

Interjection.

Hon. Mr. Davis: I challenge the member right here and now to say that we shouldn't.

Mr. Cassidy: This is a repetitive and irrelevant answer.

Mr. MacDonald: A supplementary.

Mr. Acting Speaker: This will be the final supplementary.

Mr. MacDonald: In addition to any action the government may see fit to take to meet the emergency needs of any given commodity while the House isn't in session, is the Premier

giving his assurance that when the House does resume he will come back with a redrafting of the bill in accordance with the will of the House?

Hon. Mr. Davis: Mr. Speaker, I can assure the hon. member, because he wouldn't let us forget it anyway, that we will come back here with a response, in some form or other, to the amendments which were placed before this House and passed the other night. If the hon. member would say to me that it was shenanigans or fiction, and that he really wasn't interested in those amendments and he didn't take them seriously, I'd be delighted to get that information.

Interjections.

Hon. Mr. Davis: I somehow sense that maybe he meant what he said the other night, and certainly he can expect a response from the government.

Mr. MacDonald: Very good. We'll see if your actions match your words.

Mr. Deans: Incidentally, we felt it was more important than Simcoe Day.

Mr. Acting Speaker: Order.

Hon. Mr. Davis: No shenanigans for you.

Mr. Deans: We thought it was more important than Simcoe Day, unlike your colleague, the House leader (Mr. Welch).

Hon. Mr. Davis: It was shenanigans day.

Mr. Acting Speaker: Order, please. Would the hon. member for Wentworth direct his question?

#### MERCURY CONTENT OF FISH

Mr. Deans: Can I ask the Minister of Health if he's prepared to look into the statement in today's Star with regard to the use of and eating of fish caught in the English-Wabigoon River by certain tourist operators and given to tourists in the area; and determine whether or not it doesn't make a mockery of the Fish for Fun programme which was instituted by the government? Perhaps he ought to consider closing down fishing altogether.

Mr. S. Smith: Fish for fun and poison.

Hon. F. S. Miller: Mr. Speaker, certainly I'm concerned when an operator does make a statement like that because it is, of course, directly opposing the advice we've given him. I understand we sent that specific gentleman





a letter in my absence—on April 26, as a matter of fact—pointing out the risks of eating mercury-contaminated fish.

Mr. Deans: Can I ask, by way of a supplementary question, what is the minister going to do now?

Hon. F. S. Miller: Mr. Speaker, the question of the tourist eating fish and the question of the Indian eating fish are two different problems.

Mr. Reid: No, they are not.

Hon. F. S. Miller: Yes, they are.

Mr. Deans: You mean one is less than the other?

Hon. F. S. Miller: No. One is less than the other in the sense that I don't think the person coming there is at the same kind of risk as the Indian living there. The fact remains it's not the level of mercury in a given fish but the total body burden of mercury one absorbs. One of the problems, of course, is that a person who already has a high body burden of mercury can go on eating low mercury content fish—fish the member and I would deem salable, acceptable—and still be at risk.

Mr. Reid: A supplementary, Mr. Speaker. Does the minister not agree that the tourists, with the tourist operators saying that shore lunches can be eaten, are setting a bad example for the Indian population, and that their employment as guides is almost dependent on their eating the fish, along with the tourists?

Hon. F. S. Miller: In the letters that were sent, I understand the statement was made that we would request that shore lunches be provided for everyone, and we emphasized especially for the guides who are eating fish on a regular basis.

#### ASBESTOS HAZARDS

Mr. Deans: I have one final question to the Minister of Health. Given the information that I provided to the minister the other day with regard to the modelling clay and the asbestos, is the minister prepared to make a statement that there will be the benefit of the Ministry of Health's expertise made available to all of the boards of education across the province to ensure that anyone who came into constant contact with this particular compound will be given the ad-

vantage of tests? And will they be recognized in the event that they are found to be suffering from any form of disease contributed to by asbestos and be given the benefit of Workmen's Compensation Board benefits?

Mr. S. Smith: We are having trouble hearing, Mr. Speaker.

Hon. F. S. Miller: Mr. Speaker, once the hon. member gave me a copy of that newspaper article, I immediately asked for some advice on it. We went outside of the ministry for that advice. We, in fact, contacted Dr. Ernie Mastromatteo, who for years had been the senior person in the ministry's occupational environmental health branch. He is now, I believe, with International Nickel Co.

His reaction to me was that he did not see the modelling clay as a potential danger, providing it contains the Canadian type of asbestos. However, he could not say that it would not be a risk if it contained any blue asbestos; in which case we are worried about mesothelioma. And our information on mesothelioma is so poor that, in fact, we can't tell what amount of contact causes the disease.

I think I saw an article in yesterday's paper, perhaps the members did also, saying that the federal government has stepped in and recommended that all modelling clays containing asbestos be withdrawn from the market. I think that would be a very safe precaution.

Mr. Deans: Two supplementary questions: One is, is the minister aware that this compound in its dust form is not banned for use in industrial areas, and so it is not banned for industrial uses? Are you—

Mr. Sargent: Time.

Mr. Mancini: That is long enough.

Mr. Acting Speaker: Order, please. The hon. member will continue.

Mr. Roy: Don't look so offended.

Mr. Deans: Is the minister prepared to investigate that aspect of it? And given the information the minister has just given me—

Mr. S. Smith: It is his big moment.

Mr. Reid: This is as close as he will ever get to being leader.

Mr. Kerrio: He makes up in quantity what he lacks in quality.



Mr. Deans: —why then did the Minister of Education ban its use in the Province of Ontario's schools in 1968 without giving any reason?

Hon. F. S. Miller: Well, let me look into it some more. I found it hard to get the amount of information I already have, but I will gladly get some more.

## BROWNDALÉ OPERATIONS

Mr. S. Smith: I would like to ask a question of the Minister of Health. I imagine he has received the mass resignation letter of 26 Browndale Haliburton employees, and I would like to ask him whether he is going to act in view of the letter. It says in part, and I quote: "A programme which places priorities upon a leasing of airplanes and empty buildings to the detriment of the aforementioned"—meaning the children—"certainly needs to be questioned, and this is what we have done." The letter goes on to mention, among other things, "that we no longer find it possible to work in a programme whose director and board function in a manner which is diametrically opposed to those ideals which we have worked for many years to instil in the children in our care."

Hon. Mr. McKeough: What is the question?

Mr. S. Smith: In view of this rather upsetting situation, is the minister prepared to act to take care of the children in that area?

Hon. F. S. Miller: Mr. Speaker, one of the reasons I was late for question period today is I was pursuing some of the very points the member has just mentioned. My first responsibility, of course, is to the children. I checked the Act to see what rights I had as a minister. I have had these interpreted to me today. I am quite willing to test that statute if necessary, if it is a bit vague. I think the members would be on my side if I took that kind of action. And if our evidence is that the children are at risk because of staff leaving and not being replaced by qualified people, I am quite prepared to move in.

Mr. S. Smith: By way of supplementary—and I am pleased with the minister's answer—may I ask him if he could be a little more specific in how he would move in; and also whether he could assure us that the uncertainty that has arisen around Browndale will be taken care of swiftly, rather than by a series of delays, which have now gone on for several months?

Hon. F. S. Miller: Mr. Speaker, first I would have to act within the law.

Mr. Peterson: Not like anybody else over there.

Mr. Reid: You didn't in the hospital closings. Why start now?

Mr. Acting Speaker: Order.

Hon. F. S. Miller: If my law—

Mr. Peterson: Don't try Roy as a lawyer, either.

[2:30]

Mr. S. Smith: At least the only court I lose in is a tennis court.

Mr. Roy: You didn't in the hospital closings.

Mr. Acting Speaker: Order please.

Hon. F. S. Miller: Yes. I don't even have the opportunity to lose on the tennis court any more. I just bat the ball around in here.

Mr. Roy: That might be good enough to beat the Premier.

Mr. Shore: I will take you on, Frank.

Hon. F. S. Miller: Seriously, Mr. Speaker, I have to take legal advice on what can be done. There are a number of alternatives. One of them, obviously, was the creation of a local board and that would seem to be one of the best alternatives to pursue, either with or without the co-operation of the existing organization.

## BOYCOTT OF LCBO STORES

Mr. S. Smith: Mr. Speaker, I'm grateful for the answer from the minister. Now I would like to ask the Premier whether he will join with the members of our party in observing the boycott of the LCBO stores today, and whether he will invite his party to do the same?

Hon. Mr. Davis: Mr. Speaker, I can assure the hon. member that it is not my intention to visit any of those excellent stores on this particular day—in fact, I very rarely visit them—and I can assure the members of the House that my mother at least will totally observe the boycott. Her views on the subject are well known.

Mr. Cassidy: You send somebody else to do it for you.





Mr. S. Smith: By way of supplementary, would the Premier invite his colleagues to join in the same boycott?

Hon. Mr. Davis: Mr. Speaker, I have great confidence in the capacity of my colleagues—

Mr. Reid: And they have great capacity.

Interjections.

Hon. Mr. Davis: —to use their own good judgement in all of these matters.

Mr. S. Smith: The capacity of the Treasurer's vocabulary is reduced from his usual four-letter down to three-letter words. I don't know about his other capacities.

#### DON VALLEY PARKWAY EXTENSION

Mr. S. Smith: I would like to ask a question of the Minister of Transportation and Communications. Could he explain to the House how it happens that the ministry did not take into account the fact that work was to be done in an urban area when it contracted with KVN Construction for the extension of the Don Valley Parkway and did not, in fact, include in the contract any items having to do with the hours during which work could take place?

Hon. Mr. Snow: Mr. Speaker, it is not our normal practice to put such provisions in the contract, as it is up to the contractor to work within the restrictions of the municipality where the contract is to be carried out.

Mr. S. Smith: By way of supplementary, would the minister not agree that perhaps the better course to follow in future is to pay attention to the fact that in urban areas there are certain differences from the work that might be carried out in rural areas, and would he not agree that work being carried out in the middle of the night is constituting a very serious menace and hazard and important nuisance to the people in the vicinity of that construction?

Hon. Mr. Snow: Certainly, Mr. Speaker, I am aware of the controversy over the hours of work on this particular contract. There are, I believe, two different groups of ratepayers adjoining the contract area. It's my understanding that one ratepayers' group agrees fully with the contractor working the long hours to get the contract finished very quickly, and another group of ratepayers is very much opposed to that decision, but I have not had any contact directly from anyone regarding his particular matter.

#### RADIOACTIVITY AT PORT HOPE

Mr. S. Smith: A question to the Premier, in the absence of the Minister of the Environment, regarding the contaminated fill in Port Hope: Does the Premier share with me a very grave sense of concern about the fact that the estimate is now 150,000 cu yd of contaminated fill, and can the Premier explain how this huge quantity of material got spread around the town with apparently nobody noticing? Is the Premier going to stick to the explanation given in the House by his colleague, the Minister of Health, that this was taken without permission from the dump site—such a large quantity—and can he explain how it now has to be removed from a sewer installation project?

Hon. Mr. Davis: Mr. Speaker, I would be delighted to have the Minister of the Environment (Mr. Kerr) explain this to the leader of the Liberal Party, and I will alert him that that question may be asked tomorrow morning at 10 o'clock.

Mr. S. Smith: By way of supplementary, as the Premier is alerting the Ministry of Environment—and I hope he can succeed in making him alert—

Hon. Mr. Snow: Funny, funny.

Mr. Hodgson: Which is the third party in this place?

Mr. Reid: It woke you up, Bill.

Mr. S. Smith: —could he tell us whether the mention of Deloro as a possible dump site was made after study and whether studies have been conducted with regard to soil tests to determine how much leaching of radioactive material would occur and finish up in the Moira River?

Hon. Mr. Davis: Mr. Speaker, I shall resist the temptation to try to define for members of this House degrees of alertness on the part of various members, because this would be provocative, and the member for Hamilton West might end up on the very short end. I won't make any observations at all and I will say to the member for Hamilton West, I will be delighted to see the Minister of the Environment gets that supplementary question.

Mr. Acting Speaker: Does the hon. member for Hamilton West have any further questions?

Mr. S. Smith: No, thank you, Mr. Speaker.





Hon. Mr. Davis: You should have asked an alert question.

#### MINERAL PRODUCTION TAX REVENUE

Mr. Martel: I have a question of the Minister of Natural Resources: As a result of a recent statement, can the the minister explain why in 1974, when the value of mineral production was \$2.42 billion, under the Mining Tax Act we received \$150 million in taxation, while in 1975, when the value of mineral production was \$2.33 billion, we received only \$45 million in taxation?

Hon. Mr. Bernier: Mr. Speaker, I would be only too pleased to get a very detailed statement and a report for the hon. member on that particular aspect.

Mr. Martel: A supplementary: In that explanation could the minister indicate why the reduction in tax is an amount greater—

Hon. Mr. McKeough: You don't understand the meaning of the—

Mr. Acting Speaker: Order, please.

Mr. Martel: Look who woke up. The Duke of Kent.

Mr. Acting Speaker: Order, please. The hon. member will sit down.

Mr. Martel: Crawl back in your hole.

Mr. Acting Speaker: Order.

Hon. Mr. McKeough: You just don't understand.

Mr. Martel: You said that before about the leader—

Mr. Acting Speaker: Order, please. The hon. member will take his seat.

Mr. Bain: He hasn't finished his supplementary.

Mr. Acting Speaker: I will remind the House that this is not an exchange or debate between the hon. members and the hon. minister, who is not actually responding to a question. I would ask him to respect the hon. member for Sudbury East, and would he now direct his supplementary question.

Mr. Martel: I'd be delighted to do so, Mr. Speaker, if the Treasurer would just—

Mr. Acting Speaker: Order, please. You will direct your question.

Mr. Martel: Can the minister indicate in his explanation why the reduction in tax is an amount greater than the value of the loss of the mineral production? In other words, there was a \$90 million decline in the value of mineral production and an equivalent loss of \$105 million in taxation.

Hon. Mr. Bernier: Mr. Speaker, I will include that in my full explanation.

Mr. Martel: The Treasurer will help.

#### RCA PLANT AT OWEN SOUND

Mr. Sargent: Mr. Speaker, a question of the Premier. The Premier will have heard of the concern of the Minister of Industry and Tourism over the textile industry, and I am asking about his concern over the closing of RCA in view of the fact that the Premier was on hand when the former House leader of the party offered \$500,000 to keep the RCA plant open and when he was defeated the \$500,000 loan was cancelled. Would the Premier tell me if the former House leader of the party had been elected, would the \$500,000 have been still given to the RCA plant?

Hon. Mr. Davis: Mr. Speaker, I would be delighted to involve myself in some discussion with the hon. member but I think he wants a factual reply so I would ask him to direct that question to the Minister of Industry and Tourism.

Mr. Sargent: All right, I will. Mr. Speaker, through you to the minister: In view of the fact that the \$500,000 was not forthcoming—I share his concern for the textile industry—would he show the same concern for the re-opening of the RCA plant by giving financial support there?

Further to my question of the Premier, had Mr. Winkler been re-elected, would the \$500,000 still have been forthcoming?

Hon. Mr. Bennett: Mr. Speaker, there was an offer on an application by a furniture company to lend, through the development corporation, \$500,000 for the RCA plant at Owen Sound. It was made to them but with a re-assessment and evaluation by the furniture company itself—not by this government—it decided, after further information from the manufacturing sector, that even with the \$500,000 loan, and I emphasize loan, from the development corporation, they could not come out on the right side of the balance sheet and show a profit from the operation. They were the firm that refused the loan inasmuch as they could not see it as possible



nor practical to go into the manufacturing of furniture in the RCA plant. Whether or not Mr. Winkler had been re-elected, I'm sure the same decision would have come from that company, because ultimately they couldn't make a profit.

**Mr. Sargent:** A supplementary: Does the minister recall that we went back to him to get a loan to keep the plant going and he refused it?

**Hon. Mr. Bennett:** What the member is referring to, of course, is a second situation entirely; it did not refer to the Kroehler furniture company or to any of the other big furniture companies but to the staff trying to form a company on their own without any capital investment whatsoever.

**Mr. Sargent:** That's right.

**Hon. Mr. Bennett:** A review of their particular position, if the member will recall, showed it was not a financially practical operation either under the local management situation.

**Mr. Sargent:** That's your opinion.

**Hon. Mr. Bennett:** We went through it with the auditors, the banks and other groups—

**Mr. Cassidy:** Did the minister talk to the staff?

**Hon. Mr. Bennett:** —before we gave an answer that we could not see the plant ultimately operating on a profitable basis, but that it would be an ongoing situation of governments, at either the federal or provincial level, continuing to feed money into the operation to keep it in production.

**Mr. Reid:** Better than Minaki Lodge.

**Hon. Mr. Bennett:** The fact remains, sir, that in the ultimate situation, the employees themselves could not raise any local capital to invest in the operation.

**Mr. Acting Speaker:** The hon. Solicitor General has the answer to a question asked previously.

#### OLYMPICS DUTIES OF OPP

**Hon. Mr. MacBeth:** Mr. Speaker, the member for Simcoe East (Mr. G. E. Smith)—I don't see him in his regular seat today, but he has some resemblance to yourself—had asked a question about the duties to be undertaken by the Ontario Provincial Police during

the Olympic events at Kingston. He expressed the concern that the level of service provided to the rest of the province might deteriorate at that time.

The OPP is providing assistance at the Olympics. Approximately 350 police officers are being transferred to Kingston to work seven days a week for the seven weeks of commitment. During this time, holidays have been cancelled for all members of the force, so there will be only a slight reduction in service to the rest of the province.

Fifty vehicles, as well as eight launches and one skiff, are to be located at Kingston. However, there will be no cutbacks in waterways patrols elsewhere. The skiffs owned by the police are now used only as necessary and are small enough to be trailed to places of need. Therefore, when the eight launches go to Kingston, skiffs will be stationed in the communities affected in order to maintain the normal level of service.

The member voiced particular concern about the coverage of the Midland-Georgian Bay-Trent/Severn system during this time. He can be assured that the launches being transferred from Barrie and Orillia will be replaced by two skiffs located in Orillia. They will be used for Lake Simcoe and the Trent system. Midland already has a skiff to be used when its launch goes to Kingston. Additional coverage will be provided by a launch at Parry Sound and skiffs at Bala and Bracebridge.

The OPP, through extensive planning, is endeavouring to provide the policing necessary at the Olympic Games without reducing the level of service provided to the rest of the province.

Now, sir, if you want to know what a skiff is, as I did—

**Mr. Drea:** I do.

**Hon. Mr. MacBeth:** —it's less than 20 ft long; a launch is more than 20 ft long.

**Mr. Martel:** Ask the Treasurer. He'll tell you.

**Mr. Acting Speaker:** The hon. member for Ottawa East.

**Mr. Roy:** Mr. Speaker, I rise on a point of order to ask you for a ruling as to whether the question by the member for Simcoe East was in order at the time, in view of the fact that we are presently considering the estimates of the OPP in the justice committee.

**Mr. Acting Speaker:** I rule the question in order at the time.





Does the hon. member for Rainy River have a supplementary?

**Mr. Reid:** Mr. Speaker, on your behalf, I wonder if I could ask the minister a supplementary as a matter of information? Who is paying the cost of the OPP being used? Is it being paid by the Olympic committee or is the Province of Ontario paying it?

**Hon. Mr. MacBeth:** We are going to try to get something from the Olympic committee, but I'm not looking for much success.

**Mr. Cassidy:** What is the cost of all this police protection in Kingston?

**Mr. Ruston:** You can ask that in the estimates downstairs.

**Hon. Mr. MacBeth:** Mr. Speaker, if the question is in order, the amount is about \$1.9 million.

**Mr. Mancini:** That's not in order.

#### CARE FOR MENTALLY RETARDED

**Mr. McClellan:** Mr. Speaker, I have a question of the Minister of Community and Social Services respecting what appears to be a major crisis in the province's mental retardation programme. Last December, the Kenora Association for the Mentally Retarded submitted its budget. They followed the explicit directions of your area officials and submitted an integrated and interdependent budget as a package. Now, after six months' delay, the association was told last week to submit the workshop budget separately to vocational rehabilitation, reducing the whole programme to a shambles. I want to ask the minister, since this seems to be happening in other parts of the province, why is his ministry not honouring agreements reached last winter and fall between district working groups, local associations for the mentally retarded and officials from the ministry?

[2:45]

**Hon. Mr. Taylor:** Mr. Speaker, the hon. member and the House can rest assured that my ministry will honour any agreements or commitments that it made.

**Mr. Reid:** Starting when?

**Mr. McClellan:** By way of supplementary, is the minister aware that the Kenora association has advised his ministry that it is not prepared to put up with this kind of nonsense beyond the end of June, and that at

the end of June, if this matter is not straightened out, it will be simply unable to continue to function?

**Hon. Mr. Taylor:** No, Mr. Speaker, that has not been brought to my attention and if—

**Mr. McClellan:** You had better ask about it.

**Hon. Mr. Taylor:** —that is the situation, then I am as ever anxious to meet or discuss those matters and iron them out to ensure that the services are provided to these communities, because we are committed to doing that, as the member well knows.

**Mr. Reid:** Supplementary: Would the minister also look at the commitment made to the Atikokan mental retardation association, where a similar commitment was made before the restraint programme came in?

**Hon. Mr. Taylor:** As a matter of fact, Mr. Speaker, I am reviewing that whole area of workshops and submissions in connection with the mentally retarded. I have, just within the last few days, made some internal changes which should expedite the processing of applications in that area. It does concern me because this government and my ministry is committed to involving itself in these community-based services, the workshops. I am anxious to ensure that moneys that are budgeted are utilized in this way to further the field of mental retardation in the community.

**Mr. Bain:** Supplementary: When the minister is checking into this matter, would he also investigate the application that was sent in for a workshop expansion and development of a new building in Haileybury? It appears that they applied when it was still under the Ministry of Health. When the records were transferred to Community and Social Services the application was lost—

**Mr. Acting Speaker:** Order, please. I fail to see that this is a supplementary to the initial question.

**Mr. Bain:** —and they had to apply again. Would he also investigate their application?

**Hon. Mr. Taylor:** I would be delighted, Mr. Speaker, to do that, because I am concerned that any of these applications be processed and expedited as quickly as possible.

**Mr. McClellan:** It's a shambles right now.





## HEALTH CARE IN LONDON SCHOOLS

Mr. Shore: Mr. Speaker, I wonder if I could direct a question to the Minister of Education? I wonder if he is aware of the situation in London, Ont., relating to the health care in the school system? As a result of the merger of the health care through health units some few years ago, under encouragement of the Ministry of Education, we are now finding that the health programme in the secondary schools is going to be abandoned because of the resultant. I would ask if he has any observations and if he would discuss this with the Minister of Health to see if anything could be done?

Hon. Mr. Wells: Mr. Speaker, I am not aware of any immediate problems in the London Board of Education concerning health care. I would be happy to review this situation and discuss it with the Minister of Health, and if I find that services are not going to be continued to be provided I will urge him to encourage the board of health in London to provide those facilities. Certainly, my understanding was that health services in schools should not be provided by the board of education, but they should certainly be provided by the boards of health—indeed, they get special funding for school health services.

Mr. Acting Speaker: The hon. Minister of Transportation and Communications has the answer to a question.

## MOPED HELMETS

Hon. Mr. Snow: Thank you, Mr. Speaker. On June 3, the hon. leader of the Liberal Party asked me the following question:

In view of the minister's statement that he studied the nine deaths which occurred in moped accidents in Ontario last year and concluded that there was no clear evidence that helmets could have averted these tragedies, can he make the statement with respect to injuries? Particularly, can he tell us the statistics with respect to head injuries? If the deaths couldn't have been prevented, how many serious head injuries would have been prevented by the use of helmets?

Members of the House are aware, this country publishes as part of its annual report a comprehensive statistical report of motor vehicle accidents in the Province of Ontario, for a 12-month period. This report is compiled from police accident reports. I would

emphasize the data source to point out that in compiling the report we can only use that information which is provided in the reports prepared by the investigating police officers.

Statistics on moped-related accidents were maintained for the first time by the ministry in 1975. I am, therefore, pleased to table for the information of the hon. member the following material: A copy of the moped accident statistics report for the period April 1 to Dec. 31, 1975; and a report of moped accident statistics for the first three months of 1976, including a description of accidents which saw three moped riders suffer class 1 injuries, which are fractures, concussions, decapitation and other serious injury.

Moped driver 1, while waiting to make a left turn, was struck from behind by a passenger car. The driver of the passenger car was impaired. The moped driver was dead on arrival at hospital. A helmet was found at the scene of the accident but it could not be proved if it was being worn.

Moped driver 2 was driving too fast on the shoulder of the highway in snow and slush conditions. He fell off and broke his collar bone. No data is available regarding the helmet.

Moped driver 3 was struck in an intersection by a passenger car which failed to yield the right of way. The moped driver sustained fractures. No data is available whether he was wearing a helmet or not.

While, as I pointed out earlier, our information comes from police reports, I have instructed ministry staff to expand the data demand to include information on head injuries. The hon. member will recall on June 3, when he raised the question, I stated that although I was not satisfied that we had a satisfactory helmet to regulate at this time, it certainly is my opinion that the wearing of a helmet is advisable and I hope that a suitable helmet can be made available in the near future.

## AIB RULING ON TEACHERS' CONTRACT

Mr. Foulds: A question of the Minister of Education: Can the minister tell us if the AIB has yet made a ruling on the agreement arrived at some two months ago between the Provincial Schools Authority and the Federation of Provincial Schools Authority Teachers?

Hon. Mr. Wells: To the best of my knowledge, I don't think the AIB has ruled on that particular contract yet.



**Mr. Foulds:** Supplementary: Can the minister explain why it took over two months for the Provincial Schools Authority to make its submission to the AIB after the agreement has been arrived at, and can he explain why the AIB had to phone the employees to find out what the employer's submission might be?

**Hon. Mr. Wells:** I'll be glad to find that out for my friend. I would certainly hope that the two months' delay was not caused by the Provincial Schools Authority or the ministry or this government. It may be that the teachers themselves wanted time to prepare a proper case to put before the AIB; but I'll be glad to look into it.

**Mr. Foulds:** A final supplementary: Is the minister not aware that the Provincial Schools Authority would not co-operate with the teachers to make a joint submission and that the teachers themselves have been asking the ministry to make the submission for some considerable length of time, so much so that some of those employees, at least 10 days ago, were upset enough in some of the provincial schools to be talking about a wildcat strike?

**Hon. Mr. Wells:** I think that there's a general government policy concerning submissions to the AIB by agencies of this government and the staff concerning awards. And while the Provincial Schools Authority wouldn't be joining in an appeal to the AIB, they would certainly, I am sure, make available to the AIB any information that was necessary for that body to arrive at a decision. I will certainly look into it, and if there has been any delay I will find out why.

#### DISMISSAL OF OMERS STAFF

**Mrs. Campbell:** My question is to the Treasurer, and it refers to the OMERS staff. Is it the policy of this ministry to discharge permanent employees on the basis of lack of work and replace them by temporary employees who must work overtime because of the volume of work?

**Hon. Mr. McKeough:** Mr. Speaker, I will look into that.

**Mr. Acting Speaker:** The oral question period has expired.

#### POINT OF ORDER

**Mr. Breithaupt:** On a point of order, in order that records of the House are clear, I wish to draw the attention of the Speaker

to an article appearing in today's issue of the Toronto Star under the byline Andrew Szende. In his report dealing with the vote on the motion of confidence yesterday, he wrote the following paragraph:

"A noticeable absentee was Murray Gaunt (Liberal, Huron-Bruce), one of the staunchest opponents of the government's farm bill."

I think that the record should be clear in that the delegates of this caucus to the parliamentary meetings in Quebec City were the member for Huron-Bruce (Mr. Gaunt) and another colleague, the member for Waterloo North (Mr. Good).

In addition, the members from the New Democratic Party attending this parliamentary meeting are the members for Cornwall (Mr. Samis) and Oshawa (Mr. Breagh). And of course with respect, obviously, the tradition has been that the Deputy Speaker and the Deputy Chairman—the members for Lake Nipigon (Mr. Stokes) and Simcoe East (Mr. G. E. Smith), respectively—have continued to pair on the votes in this kind of situation.

I thought it important to raise this point in order that there be no question as to the attendance or otherwise of certain members, or their activities, with respect to the voting on this most important motion.

**Mr. Acting Speaker:** Petitions.

Presenting reports.

**Hon. Mr. Snow** presented the annual report of the Ontario Northland Transportation Commission for the year ended Dec. 31, 1975.

**Hon. Mr. Bernier** presented the annual report of the St. Lawrence Parks Commission.

**Hon. Mr. Bernier:** As the members will know, this commission was chaired by the very able member for Hastings-Peterborough (Mr. Rollins).

**An hon. member:** From where?

**Mr. Acting Speaker:** Introduction of bills.

Order please, the Chair made an error. I should have called motions.

Are there any motions?

Introduction of bills.

#### LAKE SUPERIOR BOARD OF EDUCATION ACT

**Hon. Mr. Wells** moved first reading of bill intituled, an Act respecting the Lake Superior Board of Education.

Motion agreed to; first reading of the bill.





Hon. Mr. Wells: Mr. Speaker, the purpose of this bill is to allow the Lake Superior Board of Education, notwithstanding certain sections of the Education Act, to sell any teacher's or caretaker's residence to one of its employees under terms and conditions that the board may set out.

Normally, this would be a private bill, but since the time for introduction of private bills has passed, the government is introducing it as a government bill.

[3:00]

### LEGISLATIVE ASSEMBLY AMENDMENT ACT

Hon. Mr. Welch moved first reading of bill intituled, An Act to amend the Legislative Assembly Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch: Mr. Speaker, this bill incorporates three or four changes requested by members in connection with the operations, and is approved by the Board of Internal Economy.

### PUBLIC OFFICERS AMENDMENT ACT

Mr. Martel moved first reading of bill intituled, An Act to amend the Public Officers Act.

Motion agreed to; first reading of the bill.

Mr. Martel: Mr. Speaker, the purpose of the amendment is to allow a person who has been lawfully admitted to Canada for permanent residence and who is ordinarily resident in Canada to be employed in a full-time capacity in any public office.

### EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. B. Newman moved first reading of bill intituled, An Act to amend the Employment Standards Act.

Motion agreed to; first reading of the bill.

Mr. B. Newman: Mr. Speaker, the purpose of the bill is to establish a regular working week of 40 hours. May I inform the Legislature that this is the third time I've introduced this bill.

Mr. Acting Speaker: Orders of the day.

### NOTICE OF MOTION No. 5

Clerk of the House: Government notice of motion No. 5, by Hon. Mr. Welch.

Resolved: That the standing committee on the administration of justice resume, on its next regular meeting day, its consideration of the estimates of the Office of the Ombudsman as printed and tabled in the Legislature.

Further, that in addition to the supply requests of the Office of the Assembly, the Board of Internal Economy shall review the supply requests of each of the following: (a) Office of the Provincial Auditor; (b) Commission on Election Contributions and Expenses; (c) Chief Election Officer; (d) Office of the Ombudsman; and shall recommend for tabling in the Legislature estimates for each as are justified in the opinion of the board.

Further, that any supply requests in excess of those tabled in the Legislature shall be submitted to the Board of Internal Economy for review; and the board shall recommend supplementary estimates to the Legislature in amounts which, in the opinion of the board, are justified. Further, that effective forthwith, expenditure requests of each select committee of the assembly be submitted to the Board of Internal Economy for disposition.

Hon. Mr. Welch: Mr. Speaker, members of the House will recall that we discussed this matter in some detail last week, following a request from the administration of justice committee for some direction with respect to its consideration of the estimates of the Office of the Ombudsman.

There was a pretty full discussion at that time and it was indicated during the course of those remarks that we would bring forth this resolution for the consideration of the House. Rather than taking up the time simply by repeating things said at that time, perhaps I could leave my comments on that so that other members may now comment since they have seen the resolution.

Mr. Lawlor: Mr. Speaker, before making a few remarks on this resolution, may I say that whatever may happen to it, the committee will not meet tomorrow morning with the Ombudsman, but rather with the Solicitor General (Mr. MacBeth) at the request of the Ombudsman, who has a convocation to address at the University of Windsor, at Assumption College. He has asked to appear on Monday afternoon. So be it, we extend our courtesies with palmed hands.





Last Thursday a statement was made in this House outlining four possible options. Later today we shall be graced in this House with a particular statement. I am sure it will be high-toned, full of statesmanlike gestures, well-reasoned, intensely analytical, cool, detached, dispassionate, ranging over, as is the wont of this House, in a very profound and completely unemotional way from the member for Wilson Heights.

**Mr. Singer:** You are quite right; you have read my notes.

**Mr. Lawlor:** I anticipate the quality of the demeanour and the state of apoplexy in which it may place us all, and the state of grace in which the member will deliver.

**Mr. Singer:** You are the one with the high blood pressure.

**Mr. Lawlor:** He will be a prince of the apple towns. I suppose a duke, if there are not too many dukes around here these days, a duke of analytical reasoning.

There are curious things about this parliament, if I may digress for a moment. There is another kind of reasoning in the world, it is called dialectical, something unknown to this assembly, all great analysts. Analytical reasoning takes the form of oppositions and setting them up in constant irreconcilable rivalry. It is a kind of black and white form of intelligence, which when you really get down to it isn't very intelligent at the end of the road at all. The currents in the modern world are dialectical. You ride with the currents, you hold various positions in tension and sometimes in an anguish of tension. Not all issues are reconcilable, not all solutions are plenary. We have an unfinished world and we are unfinished people. Arguments are ongoing, but parliaments are not designed for that kind of intelligence and it is the more regrettable that it should be the case.

Anyway, we have four propositions before us. I will only mention three. It will be strongly contended that this matter should be moved back to the justice committee as it will be on the rather bland, and I don't suppose very controversial matter of the \$2.3 million. The committee receives that; it has already been prepared to do so. I would expect that it doesn't give much ground or room for prolonged debate. I think we would concede almost in advance the \$2.3 million for the Ombudsman's office. Therefore the committee function in this particular regard is nugatory and perhaps almost at this stage in our history quite beside the point.

To do any more than that, for the committee to launch into the plenitude of the Ombudsman's estimates, whether it was referred to it through the government auspices or otherwise, is no longer possible. The time has run out and that's obvious. Nor do I say that the government by devious device, procrastination and prolongation of the issue has subtly let the time run out. I don't say that. I think it has happened by misadventure, by attrition and because of the numerous imbroglios we have had in the past few weeks in this House, which have regrettably taken precedence over what is indeed a very important matter, namely, what the function and status in this experimental period of the Ombudsman really is and how we give him the amplitude, the scope, the recognition and the affirmation that he is deserving of, on the one hand, and try to conduct the business of the House in a blizzard of intonations, on the other. That is what we have been up against and that is what happened.

I also want to express this on this occasion, as I didn't last time. I am wondering at this stage about the efficacy, not so much the competence, but the efficacy of the justice committee to handle estimates of this kind. It would be totally unique. It's not like estimates we're handling downstairs, such as Solicitor General now or any other set of estimates, in which we do nit-pick to some extent and scapple mostly questions of opinion and policy which are raised. Once in a while we get to the hard financial facts.

The Ombudsman's estimates in this context would be direct to that financial fact as a central thing and quite distinct from any other estimates. I would be the last one to say that any committee of this Legislature was incompetent to do whatever we instructed them to do but this committee, in this context, if it goes forward in the future, would need some kind of expert assistance.

It would need some kind of accountancy help to start with. What we would be doing is measuring mileages and saying whether, in a particular area of the Ombudsman's office, the mileage consumption was comparable to the mileage consumption in Government Services. We don't know that. We'd have to be fed that. The parking lot costs of \$15,400 dispensed by the Ombudsman's office—was that a just figure, given the bulk, the volume and the parking space occupied by people in other departments; is that out of line or is it correct?

There's a hundred picayune, if you will—maybe not that; nitty-gritty—items which would have to have elaborate scrutiny and





interrogation. No committee has done that in this House in any previous time. As I say, we'd be prepared to do it with the caveat that we would probably need expert assistance from some other source to enable us to perform that function. It would be long drawn out and pretty difficult and the time has run out. So be it. It cannot, in any elaborate form, go to the justice committee.

Therefore the next suggestion would be that it would go to a select committee of the House. I've expressed that I'm in favour of that. I'm in favour of that in the long run. I'm in favour of an amendment to the legislation to bring that about but I am not in favour of that nor can I be, in pragmatic terms, rationally in favour of that at this time in our history. As I said the last day, the select committee would not only be up against the obstacles which I've just mentioned, vis-à-vis the justice committee, in going into the niceties of the estimates, but the people who would logically be appointed to this committee are already pre-empted with respect to other matters. It doesn't mean that other people probably wouldn't serve these roles just as well but the constitution of the Ombudsman's select committee which we had last winter was fairly ideal, I thought, and therefore it seems to me that in that particular context again we are pre-empted.

What is most important about most human beings, whether they know it or not, is their own self-image; what we think of ourselves and how we think others see us. This is no less important in terms of government. The image of a government to itself and as it presents itself to the populace is probably either its most or its least precious possession at any time in history.

I want to say this on this occasion that I do think the hand of the Tory government is slipping on the tiller. For years we have sat here and the government has presented to the people of Ontario one great virtue. Despite a wretched and desperate philosophy of government; despite its attitude in the areas of holding of wealth and all the things that we inveigh against, the government held one marvellous image and that was competence.

The government at least knew what it was doing at any time. Tories are no longer presenting that image. It's eroding, corroding and failing, and even in this somewhat secondary field, it's failing too.

The government knew a good deal of time ago that there would be some kind of acrimony, to say the least, engendered over the handling of the Ombudsman. The whole matter goes by and it failed to act. In my

opinion, the government has shunted off to the justice committee the glowing apple that it was unable to hold in its hand. We, in a sense—and this is what I have resented in the past few weeks—have been the scapegoat of that particular indisposition to face frankly that responsibility, to seize it and to take it and to make a decision with respect to it, instead of dawdling and playing around to a very considerable extent on the government's side. It warps your image of competence.

[3:15]

So, today, we come down finally, after some prodding, to some determination of what we are going to do—what, in the context of this day, we are obliged to do, because the alternatives are pretty well wiped away. We come down to the Board of Internal Economy. The Board of Internal Economy is not the ideal entity to handle the matter.

Hon. Mr. Welch: That assessment on your part is very unfair, unrealistic.

Mr. Roy: He is right on.

Mr. Lawlor: As you will hear in the dispassionate and statesmanlike voice from Wilson Heights, it is loaded with cabinet ministers and partisans of the other side. It is not adequately representative. Nevertheless, we are going into summer recess. It is a constituted sitting committee; it has ongoing powers and it has expertise at its disposal; it therefore, at least for the nonce, is the only viable alternative that we have before us. Therefore, I bow my head in face of that particular situation.

But may I say finally before I sit down that I have always thought, and I think most people on legal grounds over here have thought, that the Board of Internal Economy always did have powers. I thought the advice given by Crown counsel to the government at an earlier time with respect to the role of the committee was wrong. I don't hesitate to second guess them. The board is a constituted body of this House with powers. You have reduplicated it, reaffirmed it in your motion of today and that's fine. If you felt there was any moot question about the issue at all as to their being properly constituted then so be it. They are properly constituted now with the sanction of this House and enjoying full privileges and prerogatives.

I hope that the Ombudsman does not see grounds to take offence with respect to the reference back a ways. There was no offence meant. That committee constituted by all members of this House are men of sufficient





objectivity and magnanimity to receive in a fresh way, without prejudgements, the coming of these estimates in this particular forum. For the nonce it is the only proper and right forum. He will be received with courtesy, listened to with almost excessive care, particularly as this matter has caused some degree of contestation. He will get a fair, adequate and just hearing before that board, and that's not the end of the road for the Ombudsman in any event.

You will bring forward estimates out of that particular context which will come before this House and which we will then have an opportunity to peruse. No doubt we can have the Ombudsman before us again if he thinks he has been unjustly treated or in any way afflicted. We shall listen to him with open ears and give him a plenary hearing, and that's the way the world rides.

There is some trepidation, some sense that things are awry in this matter arising out of the motion itself. I think not, nor need there be. It's fallacious should members of this House think that it would be.

Now, with my mind at rest, and serenity having enveloped me, I sit down to listen to the fulminations, or the invocations, of the member for Wilson Heights.

Mr. Singer: Mr. Speaker, I don't know who could resist that kind of an invitation, coming so sincerely from the hon. member for Lakeshore.

I will give the hon. member for Lakeshore full credit. He has made the best out of a very bad case and he has indicated clearly that he is going to follow the party line, even though it is wrong. He has told you why he thinks it is wrong, but he bows his head and says none of this was deliberate—it was by misadventure.

Really, it isn't the right way to do it. The member for Lakeshore knows it isn't the right way to do it and his colleague from Riverdale, who isn't here at the moment, knew it wasn't the right way to do it because he was one of the signatories of a unanimous report that said there was an appropriate way to do it.

However, for whatever reasons motivate the NDP caucus, it is going to vote in favour of this magnificent resolution put forward by the House leader which, if it had a title, if it was a bill, could be headed, "The Bill to Emascuate the Ombudsman." That's what it is going to do if it is passed and that is, unfortunately, why we have to debate this at some length, and that is the reason why we in

this party are not going to be able to support it.

To give some of the background in relation to our position, let me first say that I believe the resolution presently here is illegal, it's improper and it's here without appropriate authority. There is no parliamentary authority that I know of that allows a legislative body to repeal or amend its statutes by passing a resolution. I think that's clear, and it's basic, and it's simple. There is no authority that allows a Legislature to repeal its statutes by passing a resolution.

We in this Legislature can deal with anything that is within our competence, anything that is our responsibility under the provisions of the British North America Act.

Mr. Foulds: That gives us a lot of scope.

Mr. Singer: Once we have passed the statute and put it on the records of the Province of Ontario, it's abundantly clear—there can be nothing more simple and nothing more obvious—the only way of changing the provisions of that statute is to bring forward an amending statute and have it passed by the Legislature. That is not what is being done here. We're trying to circumvent it by passing the emasculation resolution.

It's interesting, as to the manner in which it is here. Just the other day, the government House leader came to me and said: "Please don't ask what has happened to the debate on the Ombudsman. We are seeking a legal opinion. Our curiosity was sufficiently whetted by your comments, that we're going to get a legal opinion." I'm going to show you why I know they got legal opinions before and they had them earlier. I don't know why they needed one more legal opinion. It's fascinating me. The resolution appears on the order paper, not in any consultation, at least, with me; I don't know that I have a right to be consulted in advance, but one would have thought since the House leader and I were on such a friendly basis and he said, "Don't ask any questions today. We're seeking another legal opinion," he might have shown me what was going to be in this resolution before it appeared on the order paper.

Hon. Mr. Welch: That is not true.

Mr. Singer: Be that as it may, it's on the order paper and we're debating it.

Hon. Mr. Welch: Whether it is true or not it is important.





Mr. Singer: The House leader had an opportunity to speak and he'll get one later, so don't get excited. Please don't get excited.

Hon. Mr. Welch: Let's have it out right now. I did not ask you not to raise the question.

Mr. Singer: However, one would have thought that the House leader, having asked for that forbearance—and I gave it to him; didn't ask the question and I didn't want to embarrass him—would have stood in his place today and said: "Mr. Speaker, I have in my hand a legal opinion which shows that we're right." But did you hear that from him? No. What he said this afternoon was, "There's nothing really new here. This is what we were going to do all along and here it is and that's it." There was nothing more about a legal opinion. There was nothing more about forbearance.

How do we get to this peculiar position? The hon. member for Lakeshore (Mr. Lawlor) talks about misadventure. He's being far too loud when he uses the word "misadventure." We have been puzzling over this for quite a while now. Late yesterday, and today, I began wondering where records might be kept as to the deliberations that led to this unfortunate series of incidents. Looking at the Legislative Assembly Act, 1974, I note there is a section, section 81, that says there must be minutes of the Board of Internal Economy. Then I said to myself, "If there are minutes, I'm sure the Board of Internal Economy"—remember, this is the board that has three cabinet ministers, the Speaker and two other Tory (five Tories in all), one Liberal and one NDP; or five to two in favour of the government—"I'm sure that record wouldn't break the law; if the Legislature has said the board must have minutes, there must be a minute book."

I read the Act a little further, and it said the chairman of the Board of Internal Economy is the Speaker. Who would be more likely to have control over the minutes than the Speaker? I went looking for the Speaker and found that, unfortunately, he wasn't going to be here until 5 o'clock. I asked his secretary, a very helpful lady, where the minute book was for the Board of Internal Economy. She said, "We have it." I then said, "Would I have a look at it?" She said, "Well, I don't really want to take upon myself the right to let you"—you are only a member of the Legislature; she didn't say that, that's my speculation—"have a look at it. I'll have to find out." Who is she going to find out from? Where is she going to find out from Mr.

Fleming, and I hasten to say very quickly that Mr. Fleming has been quite co-operative in the couple of hours late this morning and early this afternoon.

I didn't get to see the minute book, Mr. Speaker, but I now have—and I am going to read them into the record in full—the minutes of the meeting held by the Board of Internal Economy on March 11, 1976. Mr. Fleming forwarded those to my House leader, the member for Kitchener (Mr. Breithaupt), and he has passed them on to me. I have a letter written by the Board of Internal Economy, signed by the Speaker, and addressed to Mr. Maloney, the Ombudsman. I have a further letter written by the Speaker and addressed to Dr. E. E. Stewart, deputy minister and secretary to the cabinet. All those are about the estimates of the Office of the Ombudsman. The two letters are dated March 11 as well. Mr. Fleming has made all these available to me on my request.

These documents are very important, and they must form a part of the record, Mr. Speaker, because without them we really wouldn't be putting the full context of this debate before the members of the House and we wouldn't be explaining away the kind of misadventure that the hon. member for Lakeshore was so quick to accept and excuse.

Before I read them, may I say that in my opinion, since the Board of Internal Economy is an outcropping of this Legislature, not only should its meetings be open to the public, but its minutes should be readily available to any member of the House or any member of the public who wants to see those minutes. I think that should be done right away.

Hon. Mr. Welch: There is nothing in the Act that says they shouldn't.

Mr. Singer: Then why did I have so much trouble today?

Hon. Mr. Welch: I don't know.

Mr. Singer: I can tell the hon. member for Brock (Mr. Welch), why I had so much trouble. Let's hear what this says; I think this is fascinating, and I'm sure the hon. member will find it most intriguing. He should be aware of it, although I do note that he wasn't at the meeting on March 11—

Mr. Roy: That's not unusual.

Mr. Singer: —but I'm sure he brought himself up to date by reading the minutes and the letters—

Hon. Mr. Welch: The hon. member for Ottawa East (Mr. Roy) is very capable of





recognizing absenteeism; he's quite an expert on it.

Mr. Roy: I am just observant.

Mr. Singer: I hadn't really noticed in the minutes of this Legislature that the hon. member for Ottawa East was absent, but in the minutes of this meeting the hon. member for Brock was recorded as absent:

Present were Hon. Mr. Rowe [the Speaker], Hon. J. Auld, Hon. J. Snow, Mr. Deans, Mr. Breithaupt and Mr. Morrow, and the secretariat and the legislative assembly staff. Absent: Hon. Mr. Welch.

Mr. Shore: It may have been a mistake.

Hon. Mr. Welch: No, I wasn't there.

Mr. Singer: Item No. 1 was merely the approval of the earlier minutes. Item No. 2 related to Mr. Maloney:

Meeting with Mr. Arthur Maloney, Ombudsman: Mr. Maloney acknowledged receipt of Mr. Speaker's letter, dated March 3, 1976, regarding 1976-1977 estimates of the Office of the Ombudsman and subsequent telephone conversations between his staff and Mr. Robert Fleming, secretary of the board, in order to provide clarification.

[3:30]

Mr. Maloney said a question has arisen as to the jurisdiction of the Board of Internal Economy over the estimates of the Office of the Ombudsman and as a result he had requested Mr. Brian P. Goodman, director of research, Office of the Ombudsman, to prepare a legal opinion. Mr. Maloney asked the chairman if he could distribute to the board a memorandum by Mr. Goodman [Mr. Goodman, you recall Mr. Speaker, is on the Ombudsman's staff and a lawyer who advises him on legal matters.] entitled "The jurisdiction of the Board of Internal Economy to consider the 1976-1977 estimates of the Office of the Ombudsman." The chairman agreed to the distribution. After reviewing the contents, the board agreed unanimously that the questioning of the jurisdictions was valid.

Fascinating conclusions are contained in these minutes.

The memorandum from Goodman, distributed with the consent of the board, questions the jurisdiction of the board to deal with the estimates. The minutes go on to say they agreed unanimously that the questioning of the jurisdiction was valid. The chairman thanked Mr. Maloney for appearing before the board and made a motion the board re-

cess until later in the day. And the board recessed until later in the day and it resumed again. Absent still later in the day were the Hon. R. Welch, QC, and the Hon. J. Snow. We go on with the rest of the minutes for later in the day:

The board discussed a number of questions in connection with the estimates of the Ombudsman. Subsequently, on a motion by Mr. Breithaupt and seconded by Mr. Auld, unanimously agreed to, the board passed the following motion:

"Agreed: That the question of jurisdiction in the matter of the estimates of the Ombudsman be turned over to the law officers of the Crown."

March 11, Mr. Speaker: "Turned over to the law officers of the Crown." The board unanimously had already accepted the fact that the board had no jurisdiction to look at them. So they were going to ask the law officers of the Crown the same thing. The Tory House leader was going to do so a few days ago, about which we have heard nothing further.

We go now from March 11 to June 14. It was agreed that the board seek clarification from the Lieutenant Governor in Council—

Mr. Shore: Stay loose, Ian.

Mr. Singer: —as to how the estimates of the Office of the Ombudsman should be reviewed prior to their submission to the Legislature and subsequently.

Mr. Speaker, the board agreed unanimously that the Lieutenant Governor in Council be asked as to how it should be done, and stated:

The board recommends to the Lieutenant Governor in Council the authority given by section 8, the Ombudsman Act, 1975, be examined by the Lieutenant Governor in Council and clarified.

Well, the board is right in the accepted practice. You amend statutes by amending statutes, not by passing resolutions. That's what the board said—that section 8 be clarified—

with regard to the control mechanism to be employed by the Legislature and the terms of establishing salaries, terms and conditions of employment prior to the granting of approval by the Lieutenant Governor in Council.

Now, the next paragraph:

Agreed: That the board recommend to the Lieutenant Governor in Council that an agency outside the government examine such matters as salary classifications and levels of the Office of the Ombudsman and





that these salaries or contractual agreements be equated with those of employees of the Ontario government and the Office of the Assembly.

And finally, the last paragraph in these minutes:

Agreed: That the board recommend to the Lieutenant Governor in Council that in consideration of the fact that there appears to be [And get this, Mr. Speaker] no legally constituted body [The board says there appears to be no legally constituted body] to exercise jurisdiction over the review of the estimates of the Ombudsman—

Is it secret? A surprise? A misadventure? What did the board say on March 11? The board said that in view of the fact that there appeared to be no legally constituted authority to exercise jurisdiction over the review of the estimates of the Ombudsman, therefore there was no provision for the 1976-1977 estimates to go forward. The board said there was no legal provision to allow those estimates to go forward. But the board recommended that an amount of \$2.3 million—and this is quite inconsistent—but having come to the conclusion there was no way they could do it, they recommended that the \$2.3 million be placed in 1976-1977 printed estimates of the government of Ontario for the Office of the Ombudsman, so that the office will be continued as is the intent of the Ombudsman Act.

Mr. Speaker, I don't know how you analyse that. First they say: "No authority, no statute says we can do it, but in any event we're going to do it. We're not going to do what Maloney wants—he wants \$3.2 million, we'll put in \$2.3 million, illegal or not."

Fascinating, isn't it?

Taken by surprise, taken by misadventure, how does it work? I told you there were a couple of letters that relate to these matters. Well there are and I think these are worthy of being a part of the record.

The first letter, written on March 11 as a result of these minutes and as a result of these determinations, is addressed to Mr. Maloney, Ombudsman, and his address is there, and it's:

Dear Mr. Maloney:

Re 1976-1977 estimates, Office of the Ombudsman. This will confirm your meeting this morning with the Board of Internal Economy at which time you requested Mr. Brian Goodman, director of research, Office of the Ombudsman, to provide us with copies of his memorandum

entitled, "The jurisdiction of the Board of Internal Economy to consider the 1976-1977 estimates of the Office of the Ombudsman." The board declined to continue any further discussion of your estimates pending clarification of the matter of jurisdiction.

The Board declined to do that; at least that's what they tell Mr. Maloney in this letter and this is a letter signed by Mr. Rowe, the Speaker.

Subsequently, on motion by Mr. Deans, seconded by Mr. Auld, and unanimously agreed to, the board passed the following motion.

Mr. Deans: Mr. Speaker, I wonder, on a point of privilege at this point, because I noticed this myself: There appears to be a minor error in the letter as it takes from the minutes of the board, read into the record quite properly by the member for Wilson Heights. The minutes, you'll recall sir, indicated that the motion was not in fact made by me, and somehow in the—

Mr. Singer: Mr. Speaker, if I may, I am not questioning the hon. member's word. If he wants to make corrections to any documents that are here, let him do it after I'm through without destroying the flow of my speech.

Mr. Deans: I'm sorry about the flow of the member's speech. I just want, for accuracy purposes, to make it clear that there is an error in the letter.

Mr. Roy: No, no, on a point of order. He can get a chance to speak and clarify anything he wants.

Mr. Singer: Mr. Speaker, I wouldn't question the hon. member's word at all, and if there's anything in these written documents that is in fact incorrect, I have full faith that the hon. member will take his place at the appropriate time in this debate and make whatever corrections are necessary. I only know what are in the documents that Mr. Fleming sent me this afternoon and I think they're of sufficient importance that they form a part of this record.

Mr. Deans: I always exercise the greatest—

Mr. Shore: Oh, come on Ian, go back to sleep.

Mr. Roy: I know it's embarrassing, but just try to follow the rules.

Mr. Singer: I think at the point I was interrupted I started to read this paragraph that starts:





Subsequently, on a motion by Mr. Deans, seconded by Mr. Auld and unanimously agreed to, the board passed the following motion:

Agreed: That the question of jurisdiction in the matter of the estimates of the Office of the Ombudsman be turned over to the law officers of the Crown;

Well in case there was any doubt about that, the letter says it again.

Agreed: That the board seek clarification from the Lieutenant Governor in Council as to how the estimates should be reviewed prior to their submission to the Legislature and subsequently;

Agreed: That the board recommend to the Lieutenant Governor in Council that the authority given by section 8 be examined by the Lieutenant Governor in Council and clarified with regard to the control mechanism to be employed in the Legislature in terms of establishing salaries, terms and conditions of employment prior to the granting of the approval by the Lieutenant Governor in Council;

Agreed: That the board recommend to the Lieutenant Governor in Council that an agency outside the government examine such matters as salary classification and levels of the Office of the Ombudsman, and that these salaries or contractual agreements be equated with those of employees of the Ontario government and the Office of the Assembly;

Agreed: That the board recommend to the Lieutenant Governor in Council that in consideration of the fact that there appears to be no legally constituted body—

And this repeats itself all the way through; through the minutes, through this letter and through the subsequent letter I'm going to read to the House.

... there appears to be no legally constituted body to exercise the jurisdiction over the review of the estimates of the Ombudsman, and therefore no provision for the 1976-1977 estimates to go forward.

The hon. House leader of the government doesn't read his own minutes. "No legally constituted body" and "no provision to allow the estimates to go forward"; no legal provision. What we're being asked to do again today is to emasculate not only the Ombudsman but to emasculate legislative practice and procedure.

The board recommends that \$2.3 million be placed in the printed estimates for the Office of the Ombudsman so the office can

continue with the intent of the Ombudsman Act, 1975.

My colleagues have been studying the debates here and they're going to elaborate on what the intention of that Act was. The intention simply was to have the Ombudsman independent of the government. That is what they're trying to take back over there. They're trying to emasculate it. That is the quote out of the minutes. The speaker then goes on with a couple of very interesting paragraphs: "Subsequent to our meeting of this morning, Counsel"—that's with a capital C. That must mean the legal adviser.

Mr. Lawlor: What if the Ombudsman was a woman? What would happen then?

Mr. Singer: We'd change the name. We'd change the name of the statute.

Mr. Lawlor: It is the word "emasculate" I'm thinking of.

Mr. Singer: There's another word. We'll use that one when we get a female Ombudsman.

Mr. Roy: This is no time to be fickle. This is an important matter.

Mr. S. Smith: We should ask the Treasurer to advise us on the proper vocabulary.

Mr. Acting Speaker: Proceed.

Mr. Singer: The paragraph immediately following the quote from the minutes is this:

Subsequent to our meeting this morning, Counsel [That must be the legal adviser to the Minister of Culture and Recreation (Mr. Welch), the one that he didn't bother to quote this afternoon] stated that, in their opinion, the Board of Internal Economy does not have jurisdiction over the estimates of the Ombudsman and has upheld the memorandum to this effect by Mr. Brian Goodman of your staff.

So we've got Goodman's estimate; we've got the unanimous minutes of the board; we've got counsel who advises the board all saying exactly the same thing. This is quoted several times and clearly quoted:

The board has further advised the Lieutenant Governor in Council that it had assumed it had a responsibility to examine your 1976-1977 estimates and has further assumed that in agreeing to come before the board as early as Feb. 23, you had, in fact, accepted the jurisdiction of the board.

The hon. House leader of the Tory party—I'm sorry, the Speaker. This is not over the House leader's signature. The Speaker assumed that if something is illegal, if both



sides consent, they can get rid of the illegality. That's a brand new concept in law too.

Mr. Roy: As a lawyer, the House leader should know better.

Mr. Singer: I certainly believe, and I think it's without dispute, that the only way he can change statutory provisions is to pass amending statutes. Whether two people consent in an illegality or not does not make it legal.

Mr. Lawlor: We're a sovereign body.

Mr. Singer: The hon. member for Lakeshore is right.

Mr. Roy: Yes, that's right, but we've got to follow established procedures—legislation, not resolutions.

Mr. Singer: To continue:

"The board has further advised the Lieutenant Governor that it assumed it had the responsibility to examine your estimates. It further assumed that in agreeing to come before the Board of Internal Economy as early as Feb. 23, you have, in fact, accepted the jurisdiction of the board.

It also recalled that "the initial budget of the Ombudsman for approximately \$1 million on March 9, 1975, had been brought before the board at a meeting held on June 26, 1975."

Then the final paragraph of that letter, and I think the most significant part of that letter, states: "As it is now the opinion of the board that, as you pointed out, it has no jurisdiction over your office—"

Mr. Nixon: That was pointed out very clearly.

Mr. Singer: Yes. Who could say it better?

—it has no jurisdiction over your office, I think you would agree it would be improper [I don't know how Mr. Maloney took it, but I suppose this is designed to bring Mr. Maloney to heel] for the Office of the Assembly staff coming under the board to act on your behalf. Messrs. Fleming, Miggiani and Wilson were instructed by the board on March 3 not to implement any salary changes or retain additional staff pending clarification of such matters as classification, and salary ranges.

In other words, Maloney, since you're causing us trouble, don't change any salaries and we told our staff not to let you do it. Emasculate the office of the Ombudsman, indeed, indeed. Threaten them, indeed, indeed. That's what you're doing.

In view of the board's motion and the minutes of today's meeting, the staff have been advised [I guess the proper word is "instructed," the letter says "advise"] they may take no further part in facilitating such adjustments or processes.

Warning: "Maloney behave, and since you are not behaving you are in big trouble."

[3:45]

The best is yet to come, Mr. Speaker. This is the other part—everything doesn't appear either in the minutes or the letter to Maloney; the best letter is the letter to Dr. Stewart. Dr. Stewart, as you know, sir, is the deputy minister and secretary to the cabinet. His address is Room 285 in the legislative building at Queen's Park. This letter, signed again by the Speaker, and also dated March 11—

Mr. Shore: Three months ago.

Mr. Singer: Yes, March 11; as my colleague from London says, three months ago. It says:

Dear Dr. Stewart:

Re: 1976-1977 estimates, Office of the Ombudsman. The Board of Internal Economy has approved a motion that I write to cabinet in respect to the question of which committee or body has the responsibility for the review of the estimates of the Office of the Ombudsman. The board, at its meeting No. 5/76 held on March 1 and 2, undertook, as a duly constituted body of the Legislature, to review the estimates of the Ombudsman. However—

Mirabile dictu, wonderful to say; unusual though it may be; right, to the member for Lakeshore?

Mr. Lawlor: The quality of the speech is improving. Speak in Latin, I will understand.

Mr. Singer: Thank you.

—however, at the outset of meeting No. 6/76, held March 11, the Ombudsman tabled a memorandum from Mr. Brian Goodman [we heard about that other document] director of research, Office of the Ombudsman, titled "The jurisdiction of the Board of Internal Economy to consider the 1976-1977 estimates of the Office of the Ombudsman," bringing the matter of jurisdiction into question.

The board declined to continue any further discussion of the estimates of the Ombudsman pending clarification.





Had they stopped at that and sought the appropriate direction and come back to the House, this trouble wouldn't be here but that isn't what they did.

It should be stated for the record [the Speaker goes on to say to Dr. Stewart] that at meeting No. 9/75, held on June 26, 1975, the board approved a provisional budget for the Office of the Ombudsman of of \$1 million for initial operations of his office.

At that time it was indicated by the Provincial Auditor that it would be appropriate for this budget to be placed before the board although as early as June, 1975, it was agreed that the board had no legal responsibility.

Mr. Shore: No kidding?

Mr. Roy: That is a year ago.

Mr. Singer: June, 1975. Section 10 of the Ombudsman Act, 1975, states:

Moneys for the salary of the Ombudsman and expenses required for the operation of his office are payable until March 31, 1976, out of the consolidated revenue fund and thereafter [and this is brought to Dr. Stewart's attention so he can advise the Lieutenant Governor in Council] out of the moneys appropriated therefor by the Legislature.

That is in quotes out of section 10 of the statute.

The letter goes on:

It was assumed, however, by the board it had a responsibility to examine the 1976-1977 estimates of the Ombudsman and it was further assumed that in agreeing to come before the board on Feb. 23 with his estimates, the Ombudsman accepted the jurisdiction of the board. [Now we get to the fascinating part] It is quite clear, however, following an examination both of the Ombudsman Act and the Legislative Assembly Act that the board has no legal jurisdiction over the estimates of the Ombudsman.

That's the nub of this discussion. Let me read it again, "It is quite clear, however, following an examination of both the Ombudsman Act and the Legislative Assembly Act that the board has no legal jurisdiction over the estimates of the Ombudsman."

Mr. Shore: Do you agree with that, Bob? There is no problem there.

Mr. Singer: Before I was able to get hold of these documents, I was going to argue

exactly that point but I find there is no need to argue. It's there.

Mr. Roy: There is no dispute.

Mr. Singer: The Board of Internal Economy unanimously agrees with this.

Mr. Lawlor: Referring. That is what we are here for.

Mr. Singer: There it is.

Hon. Mr. Welch: That is what we are going to do today. We are going to refer it.

Mr. Singer: The letter says, "At this time, the board would like to seek clarification—"

Mr. S. Smith: You need authority and you can't get it by resolution.

Mr. Singer: To continue, "At this time the board would like to seek clarification as to how the estimates of the Ombudsman should be reviewed." They are asking the Lieutenant Governor in Council, how should we do it? We are in this great difficult situation and how do we get out of it?

At this time, March 11, it would appear that "a committee of the House should be established in keeping"—in keeping with what, Mr. Speaker? You will never guess—"in keeping with recommendation 5 of the select committee to consider and set out general rules and guidelines for the guidance of the Ombudsman, Hansard, Dec. 11, 1975, page 1545."

Mr. Shore: What date was that letter again?

Mr. Lawlor: It makes you feel good eh? That is your brainchild. You want to swaddle your own baby, Singer.

Mr. Singer: Mirabile dictu all over again. This committee would examine the estimates of the Ombudsman; whether this committee should be the Board of Internal Economy is not for the board to decide. So what happens? There was this select committee; I was chosen by the House to be chairman of it; we had three meetings; we brought in a unanimous report, it was signed by others, by all the members, including the hon. member for Lakeshore and the hon. member for Riverdale.

Mr. Nixon: Then it was his baby, too, or should be.

Mr. Singer: Yes. Oh, indeed it is. Indeed it is. And it is their recommendation, it is my recommendation, the recommendation of several members of the Conservative Party, the unanimous recommendation of the committee,





but we haven't heard a word from the government about the implementation of it except that it is buried in this letter here, signed by the Speaker on behalf of the board and directed to Her Honour, the Lieutenant Governor in Council.

**Mr. Peterson:** You are denying your brain-child, Pat.

**Mr. Lawlor:** You want to be the chairman of two select committees this summer.

**Mr. Roy:** You call that misadventure?

**Mr. Singer:** It says:

In considering the future development of the Office of the Ombudsman, the board would like to recommend, regardless of which body is given responsibility of reviewing the estimates, an agency outside the government be brought in to examine such matters as salary classification, levels of the Office of the Ombudsman. It would appear to be of paramount importance that financial arrangements for these public servants be equated with employees in the Ontario government and Office of the Assembly. [Quite a sensible suggestion.]

It is suggested, therefore, that the authority given by section 8 of the Ombudsman Act be examined and clarified with regard to control mechanisms to be employed by the Legislature in the terms of establishing salaries, terms and conditions of employment prior to granting the approval of the Lieutenant Governor in Council.

In consideration of the fact [this is the last paragraph and it summarizes the whole matter neatly] that there appears to be no legally constituted body to exercise jurisdiction over the review of the estimates of the Ombudsman and, therefore, no provisions for the 1976-1977 estimates to go forward, the board would recommend that an amount of \$2.3 million be placed there.

The whole discussion of \$3.2 or \$2.3 million, what right the board had to raise it from \$3.2 to \$3.2 million or raise it from \$3.2 to \$2.3 million or whatever, has completely vanished. The reasoning, the logic, the discussion, the open discussion of estimates, who determines it, all that is gone. They just say,

The figure \$2.3 million be placed in the printed estimates of the government of Ontario for the Office of the Ombudsman, pending clarification as to which committee or body should review the estimates of the Ombudsman prior to their submission to the Legislature and subsequently.

Mr. Speaker, there it is. Damned by the public record. Acting illegally. The record says so, the correspondence says so, the minutes say so, the legal advisers say so, and there has been nothing to the contrary brought forward by the member for Riverdale, the House leader of the NDP, or the House leader of the government.

**Mr. Lawlor:** You should be for it.

**Mr. Singer:** Maybe you will speak again, or one of your colleagues; how you can amend statutes by resolutions? You're enough of a lawyer to know the answer to that one.

**Mr. Roy:** I'm not sure. I'm not sure if he is.

**Mr. Singer:** Now then, what is the object of this exercise? Why did this misadventure take place? I'll tell you why, Mr. Speaker. The government wants to so control the Office of the Ombudsman that he cannot be an embarrassment to them.

**Hon. Mr. Welch:** Nonsense. Absolute nonsense.

**Mr. Singer:** That is the conclusion that has to be drawn, because you are proceeding illegally and you want to control him. Certainly.

**Hon. Mr. Welch:** Draw whatever conclusions you like, but this is nonsense.

**Mr. Singer:** No. 1—there have been speculative newspaper stories about a report that is going to deal with the acquisition of land by the government of Ontario in the North Pickering area. The stories have gone on to suggest that much of the land that was acquired by negotiation, was acquired at prices less than the market value. They add that it would only be fair that those people who gave up their land on a negotiated basis and who apparently did not get as much money as they would have had they waited for expropriation, be dealt with in the other way—that they now be expropriated and be able to argue comparative value.

That is going to be very embarrassing, because, Mr. Speaker, you will recall that we questioned a series of ministers about the procedures here and got no answer. They were fair. It was fine to take advantage of people who didn't have legal counsel, who were old and tired and unable to bargain appropriately.

How do we get at that? We don't get at it in the House, I tell you, by asking the appropriate minister a question and getting one of those pat answers. We have a mechanism now that's going to get at it. And since





the Ombudsman is flexing his muscles it's begun to be an embarrassment to those people on that front bench over there.

No. 2: The hon. Minister of Correctional Services (Mr. J. R. Smith) is responsible for a whole bunch of public institutions. Apparently there was a rape of a male in one of those institutions. The Ombudsman investigated that incident.

The Ombudsman is now empowered, by reason of the statutory provisions, to make public his reports without the consent of the minister involved. The minister involved, for reasons best known to himself, said: "The people of Ontario wouldn't like to read the details of that unfortunate incident and, therefore, I will not allow you, Mr. Ombudsman, to release the report and make it public." But the Ombudsman is a very difficult fellow. He wants to talk about things to the public and he's being denied it, so how do we control the Ombudsman? Let's keep his money down, eh? Let's make sure he doesn't have as much staff.

Hon. Mr. Welch: That is very irresponsible.

Mr. Singer: Let's make sure that it's dealt with by a board with five Tories on it, one NDP and one Liberal. That's a fair way to do it.

Hon. Mr. Kerr: Who's the Liberal?

Mr. Singer: And, of course, there's the Bradley-Georgetown corridor, a matter of great concern to a lot of citizens of this province. A lot of people are very concerned about it. And the Ombudsman is instructed by the head of Hydro, "Go away, don't look at it. You might embarrass Hydro, you might embarrass the Minister of Energy (Mr. Timbrell), you might embarrass those fellows who sit on the front bench."

Mr. Speaker, they're frightened of the Ombudsman. What better method to bring him to heel than to have meetings like this, to threaten him in one of these letters, and to ignore everything until the 11th hour? Then you get the member for Lakeshore saying, with some validity, we've got to do something and let's take the most expedient, even though illegal, way. I don't fault the member for Lakeshore, but I say the government brought this on their own heads.

I think it is important enough—even if we have to stay here for another two weeks, to do it properly—to make sure that the Ombudsman is not the servant of a body that meets in private, of a body that has five Tories

and one Liberal and one NDP on it, of a body that admits it is acting illegally and then comes in and tries to regularize this whole nonsense at the 11th hour by reason of misadventure, by reason of expediency.

Mr. Speaker, I urge the members of this House to act to preserve the Office of the Ombudsman. I've never discussed this with Mr. Maloney but I hope that this kind of thing is not sufficient to suggest to that gentleman that perhaps, subject to that kind of control, he isn't going to be able to do the kind of job that was originally indicated to him—the kind of job that's reflected in this statute. The kind of job that guaranteed him independence and forced him to answer only to the Legislature and not to the government.

That is the reason why, in my opinion, this motion should be withdrawn. It should be withdrawn quickly and unceremoniously. I don't think the government should embarrass itself, and I don't think those great defenders of conscience and good will, the NDP, notwithstanding the views of a couple of our members, should support anything as unfair, unreasonable, undemocratic and illegal as this motion.

[4:00]

The other day I put before the House what could be an alternative motion. I can read it again if you want.

Mr. Lawlor: Read it again.

Mr. Singer: All right; I will read it again. The member for Lakeshore would like it; I certainly will read it again.

Mr. Roy: The NDP claim to have principles.

Mr. Singer: Here it is. This is the alternative motion that I would move and if, as I hope, after this House has defeated the resolution brought in by the Tory House leader, I will be pleased to move, seconded by all my colleagues together, that this resolution be passed.

Mr. Foulds: Talk about illegalities.

Mr. Singer: My motion would be:

That the members of the standing administration of justice committee be constituted as a special committee of this Legislature to consider what estimates the Ombudsman may choose to bring before them and to report thereon their conclusions and recommendations to this House which, after dealing therewith, shall request the Lieutenant Governor in Council





to recommend to the House by message, the opinion of the House in relation to the said recommendation.

That would take 13 people who are approximately proportionately representative of the party strengths in this House and constitute them, not as a committee but as individuals, as a group to sit with the Ombudsman and review what he has to say and recommend something to the House. The House accepts the recommendation of those 13 people and that goes forward to the Lieutenant Governor in Council so that the proper message can be delivered which will make the whole process constitutionally appropriate, legal and proper. That will ensure, in that way, that the Ombudsman—if he is to continue; if this office is to be of any use to us—will continue to be an office of this Legislature and not an office of the government.

Mr. Roy: Start apologizing.

Mr. Deans: Mr. Speaker, I was interested to hear the comments of the member for Wilson Heights, particularly his reading into the record of the House the minutes of the Board of Internal Economy and the letters sent by the Board of Internal Economy to both the Ombudsman and Dr. Stewart.

I would like to bring to your attention before I go further that many of the minutes read into the record today by the member for Wilson Heights were read into the record by me a week ago when we first started to debate the appropriateness of this activity.

Mr. Shore: That's great. You should be very proud of yourself.

Mr. Deans: It is a matter of correcting something. I wouldn't want the member for Wilson Heights or anyone else to think that he had suddenly stumbled on some secret documentation. I read into the record, as fully as he did, everything that he read today or very close to it.

Mr. Shore: No. Have you ever been second? Are you always first?

Mr. S. Smith: If you could have found them anybody could have; we will grant you that.

Mr. Deans: I want to point out also that I didn't have to go looking for them, since they are made available to all of the members of the board, including the member who represents the Liberal Party.

I have told my colleagues—whether he has told his or not, I am not sure—that any time they want to look at those minutes they are

sitting in my office, free, open and available to anybody. If the Liberals couldn't find the minutes I suggest they talk to their representative; he had them available if they wanted to look at them.

I want to say that the Board of Internal Economy—I speak only for myself—

Mr. Warner: It is not an unusual practice.

Mr. Deans: As a member of the Board of Internal Economy I thought, since there had been no motion of the House directing the Ombudsman to bring his estimates before the board and since there was no constitutional statute which I could find which gave the board explicit authority, that at that point it would not have been appropriate for the board to continue to deal with the estimates of the Ombudsman that were before us.

I take the view now, though, that if this Legislature, being a sovereign body, were to pass a motion requiring that those estimates come before the Board of Internal Economy, it would be quite within its power to do so. That's the position I took some time ago; it is the position I take again today.

If the Legislature directs that the estimates of the Ombudsman or anyone else shall go before the Board of Internal Economy, the Board of Internal Economy being a legally constituted body representative of this Legislature by law, the Legislature is entitled to make that decision, if it so desires, at any time. That's what is being asked.

There is no attempt being made to change the law by way of resolution. There is simply a direction by the Legislature or from the Legislature to the Ombudsman and to others that their estimates shall be considered by that body rather than any other body. That's the interpretation I place on what we have before us today and I believe it to be correct.

I want to go on to say that the make-up of the Board of Internal Economy and the representation on the Board of Internal Economy is by statute, of course, but if the member for Wilson Heights (Mr. Singer) were to think back, I am sure he can recall instances where there have been standing committees of the Legislature that have been equally representative of the government and the opposition, and it is entirely possible, under different legislative circumstances, that the administration of justice committee could have on it 15 Tories, one New Democrat and no Liberals, or even one Liberal. That's entirely possible given the amount of representation that one gets as the result of an election.

That's one of the reasons why it seemed more appropriate to me, rather than to leave





it to the electoral chance, to establish a body set for that purpose, that had its membership clearly defined by law, rather than to leave it to hope that maybe there would be adequate representation from either of the other two parties at any given time. The Board of Internal Economy is somewhat different from standing committees in that regard.

**Mr. Roy:** The member doesn't seem to understand there are three members of the executive on that board.

**Mr. S. Smith:** Three members of cabinet.

**Mr. Deans:** I think I perhaps do understand it, and I think that's really where the problem lies.

I was interested in the remarks of the member for Wilson Heights, because what he has read into the record is exactly what the Board of Internal Economy discussed and it reflects, in minute and in letter, the sense the board had that it did not want to proceed wrongly. We therefore ask that we be given some direction.

We trust that the Legislature, having control of the Board of Internal Economy as it has control of everything else, will give direction to the board, that it should hear the Ombudsman; and to the Ombudsman, since he is answerable to the Legislature, that he should appear before the board. That's all that is being asked today.

You can conjure up in your mind any number of circumstances which may occur, very easily. You can talk, if you will, of the government's attempts to muffle the Ombudsman, if it is your desire to put that kind of colouring and interpretation on the activities of the board.

**Mr. Roy:** That's the only reasonable conclusion.

**Mr. Deans:** No, that's not the only reasonable one. That is the only expedient and political one, but not necessarily the only reasonable one.

Let me put to you this: If the estimates of the Ombudsman come before the Board of Internal Economy and from that point come before the Legislature, the Legislature in its entirety has the opportunity to then do two things; to question the Ombudsman with regard to the appropriateness of the amount and need for the estimates, and to question the Board of Internal Economy as to the reasons and the background that were attached to the decisions that it came to.

The Legislature can, at the appropriate time, have before it all members of the Board

of Internal Economy or their representatives, to explain to the members of the Legislature, publicly and openly, how they arrived at the decisions that they arrived at. The members of the Legislature, if it is their desire, can also ask the Ombudsman, for cross reference purposes, publicly and openly, whether what was said by the Board of Internal Economy, in defence of the position that it took, is in fact the understanding the Ombudsman has; and can further question the board members, if it so wishes. The Legislature can also question the Ombudsman with regard to the expenditures, and appropriateness of the amounts of money available to him. So there are two safeguards in this method, where there are no safeguards in the method proposed by the member for Wilson Heights.

**Mr. Roy:** You don't understand.

**Mr. Deans:** I think I do understand and I say to you again that to say I don't doesn't necessarily make it so.

**Mr. Singer:** To say you do doesn't make it so either.

**Mr. Deans:** That's right; but I find that the member for Wilson Heights, having taken so much time to read the minutes of the Board of Internal Economy meetings, it might have been interesting had he taken some time previously to acquaint himself with the operation of the Board of Internal Economy; up to this point he hasn't seemed to care much whether it existed or otherwise.

If it were the wish of the Legislature that the board be directed to hold those meetings in public or in camera, the Legislature is entitled to do that, but to this point there has never been anyone appear at a Board of Internal Economy meeting in order to determine whether they should be open or otherwise, to be quite frank with you, Mr. Speaker. And no one has ever addressed themselves to whether they were open or closed because nobody else seemed to care what we were doing, until now. And if the member would like to come, he's welcome.

**Mr. Singer:** Poor little orphans in the storm!

**Mr. Deans:** He's welcome any time he likes. If he'd like to come in and spend as much time there, as he does here, then he would be most welcome to come and to do that and to question anyone he wishes, and to raise whatever points he wants to raise, because I don't think there's any one of us who feels in any way constrained about conducting the business that we conduct publicly or privately.



Mr. Roy: You don't understand. We are not questioning your good faith. That's not what we are doing at all.

Mr. Deans: No. I know what they're doing, Mr. Speaker. I know exactly what they're doing. They see a political opportunity before them that they can't possibly overcome.

Mr. Peterson: Oh, clean up your act. Finish your speech.

Mr. Deans: Yes, clean up my act. I want to say this to you, Mr. Speaker, that if it were the wish of the Legislature to establish another committee to deal with this matter, it would be appropriate to do that.

The motion before the Legislature is that, since we already have a committee established, which deals with a number of matters that are closely related to the matters that come before the board, with regard to the expenditures of the Ombudsman for hiring and renting and other normal day-to-day operation purposes, that that board would likely have more expertise available to it, on an ongoing basis, for comparison purposes and that to establish yet another body to review the estimates, simply because it is the Ombudsman, without having reviewed other, similar estimates and determined whether or not payments that are made, rentals that are entered into and other arrangements that may be undertaken are in keeping with the normal practices of the day, in the area in which they're being undertaken, would appear to me to be money wasted.

No one is suggesting that the Board of Internal Economy should deal with the Ombudsman's office as it operates in the best interests of the people of Ontario. No one. No one is suggesting—

Mr. Peterson: When you control the purse strings you are, and you don't understand it.

Mr. Acting Speaker: Order.

Mr. Deans: No one is suggesting that the Office of the—

Hon. Mr. Welch: The Legislature controls the purse strings.

Mr. Acting Speaker: Order please.

Hon. Mr. Welch: For goodness sake, as a freshman member, read the rules. Who ultimately approves the estimates—

Mr. Acting Speaker: Order please. The hon. member for Wentworth has the floor.

Mr. Peterson: I have read them. Read the Legislature Act.

Hon. Mr. Welch: Well, for goodness sake, the supplementary estimates have to be brought before the House.

Mr. Deans: No one is suggesting that the Board of Internal Economy is going to carry on some clandestine meetings with the Ombudsman and that that will end the public discussion, with regard to the Ombudsman's operations in this province—

Mr. Mackenzie: You don't expect them to understand.

Mr. Deans: —no one. No one.

Mr. Acting Speaker: Order please. Could we have one debate conducted at any one time? The hon. member for Wentworth.

Mr. Deans: I think they're beginning to feel a little foolish now and that's the problem.

Mr. Peterson: So is the House leader.

Hon. Mr. Welch: Don't get personal.

Mr. Deans: What's being suggested—

Mr. Roy: It is all obvious from your resolution that you have learned everything.

Mr. Deans: What is being suggested is this, Mr. Speaker—

Mr. Peterson: If you have learned anything, display it.

Mr. Acting Speaker: Order.

Mr. Deans: —that in order that a reasonable comparison can be made of the estimate requirements of the Ombudsman, over and against the estimate requirements for similar purposes of other groups and emanations of the Legislature, the Board of Internal Economy, in the first instance, would be a body suitable for that purpose.

Interjections.

Mr. Acting Speaker: Order please. Would you kindly withhold any further exchanges, across the floor, and accord courtesy to the hon. member for Wentworth?

Mr. Deans: The suggestion is simply, as I have stated it, that in the first instance that be done. If it is the fear of the members of the Liberal Party that somehow undue—

Hon. Mr. Welch: Even King John lost his head.

Mr. Deans: —exercise of control is likely to take place—





y: Can't you control him?

eans: —then, of course, they can take his discussion. I'm going to tell you, Mr. Speaker, that if the Liberal Party want to appear and speak and make their own, then they can do it.

Mr. Roy: They are doing it. Right here.

eans: They can do it. I was under the impression that my good friend and colleague, the member for Kitchener (Mr. Breitholtz), who has expressed any number of concerns at the Board of Internal Economy, made any number of sensible and sound arguments at the Board of Internal Economy, has proposed matters, has opposed matters, and frequently has suggested changes that were on the agenda, was speaking on behalf of his colleagues and I think he

y: Sure, but he's—

eans: Right. I thought that he was.

y: —only one out of seven; there are seven of you.

oulds: You're only one out of 36; that's the problem.

eans: And I assumed that he does as I assume now, in fact, he does as I do. I went back to his caucus and he explains what is happening at the Board of Internal Economy. I would reserve for myself and anyone else the right to rise in my caucus and question any matter which I was being dealt with by that board in which indicated that the government was exercising more authority or that there was some kind of executive authority exercised by the government representative on the board. I am sure the member for Kitchener would do likewise.

no evidence of any kind, nor has the member for Ottawa East, nor has the member for Wilson Heights, that there has been to my knowledge an attempt made by the government or to in any way exercise authority through the board that would indicate that they were attempting to impose their will on it.

Mr. Roy: You do have confidence in the government.

eans: No, it's not a matter of having confidence. I have no confidence in the government's policy, which is another matter

So I think that the member for Wilson Heights has put before the Legislature all of the various documents which have been placed before the Legislature previously which bore out exactly what the Board of Internal Economy was worried about. He placed it before the Legislature in such a way that no one could doubt that the board recognizes that it needed to be given the authority of the Legislature before it could proceed any further. I interpret the resolution before us to be giving the Board of Internal Economy that authority. I don't quite understand now what the member for Wilson Heights finds wrong, other than that he doesn't like the numbers.

Mr. Roy: No.

Mr. Deans: If it is the problem of numbers and representation, then let's change the Act and change the representation. If you want to change the representation on the Board of Internal Economy, then stand in your place and say "I am not happy with one representative, I want two," or "I want three in order to make it more representative" in the view of the member for Wilson Heights. I would like to see more representation too. I think now that I look at it, maybe I would like to have some help.

But anyway, that's beside the point. The fact of the matter is that what we have done has not changed the Act. You can't change an Act by resolution. Rather you must indicate it is the will of the Legislature to have the Board of Internal Economy designated as the body to whom the Ombudsman will first approach with regard to his estimates. Then those estimates, having once been perused by that board and after the various questions have been asked, and after the various comparisons have been made, in accordance with the best advice and wisdom of the board, they will then recommend the printing of certain estimates. I understand the legal argument being put forward. I think it's quite invalid.

Mr. Roy: Mr. Speaker, I would like to make some brief comments on this resolution and support my colleague from Wilson Heights.

Originally when this debate about the budget of the Ombudsman took place, I recall Norm Webster writing a whole series of articles on it. At that time he had comments from various members of the Legislature about the Ombudsman, and frankly I was concerned about the setup of the office and the number of people who were being hired. I was looking forward to looking at the estimates of the Ombudsman.





As is anyone else in the Legislature, we are concerned about expenditures and about the fact that if we are cutting back on expenditures, if we are closing hospitals in this province, if we are cutting back here and cutting back there, surely the Ombudsman cannot have a blank cheque. The Ombudsman's operation, the hiring of people, the expenditures made for travel and so on, should be scrutinized just like any other item of public moneys spent in this province.

I must say the debate was interesting, and I sympathize to a degree even with the member for Riverdale (Mr. Renwick) when he talks about certain pressures put on, because I, frankly, didn't feel there was any pressure. I've known the Ombudsman, from a personal point of view, for some time. I went up to his office and, I must say, I had a sandwich up there. I don't think there was any undue pressure. I think basically I looked forward to the estimates and I wanted him to be able to justify his budget—justify the operation up there.

But I must tell you that looking at what is happening here and looking at the approach taken by the government, an approach which is supported wholeheartedly and enthusiastically by the NDP, I just naturally and by instinct must lose my objectivity and come to the defence of the Ombudsman and certainly support my colleague from Wilson Heights. I think it's only right that he should be leading the charge—leading the defence in this case, having for so many years proposed the office—put in bill after bill, year after year, and having studied and had faith in that whole office. And, in which faith, the government saw the light back after he presented it—what?—about—

Mr. Singer: Ten times.

Mr. Roy: Ten times, finally accepted it. And here he is, after the government has given some measure of support to what he's been proposing for so long. In the next step, in a very short while after the bill has been put forward, it is proposed, as he says, if we proceed in this fashion to emasculate the Ombudsman.

Now, I say originally again I was not as enthusiastic about the whole Office of the Ombudsman as my friend was, because, frankly, I must admit to you I felt, more importantly, that we should have a bill of rights in this province rather than an Ombudsman. But, in any event, having supported the legislation and having sat back and listened to the then Attorney General, Mr.

Clement, when he proposed the legislation, I'm concerned about what's going on here.

I go back to the debate that took place, I think it was in the month of May, 1975, when the bill was first proposed. I recall that the then Attorney General, Mr. Clement, at the time that he introduced the legislation, said this: "The principal function of the Ombudsman will be to investigate decisions, recommendations, acts or omissions of the provincial administration, either upon receipt of complaints from affected persons or on his own initiative."

Having given the purpose of the Ombudsman, of the office, of the legislation, to be that, it appeared to me to flow logically that there must be clear independence of the Ombudsman's office from the government. That's always been one of the principles which we supported here. We've talked about it involving the police, we've talked about it involving other agencies, and it's never proper that the investigative authority investigate itself, or that the people who are being investigated have some jurisdiction over those who are investigating them. And so it was important to have this independence.

I must say to you, Mr. Speaker, looking at the debate at that time, and my colleague from Wilson Heights (Mr. Singer) I think, was not well at that time and was not with us in the original debate of the legislation—he embarked on the debates later on. The members who were then participating fully in this debate were the members from the NDP. And I recall my colleague from Lakeshore (Mr. Lawlor) and my colleague from Riverdale (Mr. Renwick) at that time setting forward what they felt the office should be like. They emphasized its independence.

I look at the debate back in June 1975, and, for instance, I go back to the member for Lakeshore when at that time he joined in the debate on this legislation. This was on June 10, 1975. This is what he said at that time. I'm quoting here now from page 2812. At that time he said:

The first thing of importance in the legislation is that this Ombudsman, this commissioner, whatever you call him, is a creature of this assembly. He's our boy or she's our girl, [he says in his colourful way] or whatever it may be, and is beholden to us, appointed through us, not a creature of the executive.

Mr. Foulds: That's not colour, or whatever it is, that's equality!

Mr. Roy: He emphasized it at that time, "not a creature—"

Mr. Singer: Who said that?





Mr. Roy: That's the member for Lakeshore. In fact, when I was reading his speech he said some very colourful things at that time. May I go on?

The executive is precisely that element and degree, the echelon of government, that the Ombudsman is designed to safeguard us against, to act as a bulwark for us in defence of the fundamental liberties.

That's what he said at the time when the opening salvos were given—when we first started discussing the legislation. On the same date, I look at some of the things said, for instance, by the member for Riverdale. He agreed with my colleague from Sarnia (Mr. Bullbrook) who had spoken before him and he said this:

With the member for Sarnia I share the concern that we are not engaged in creating an institution of government which is to interfere with the proper functioning of government, with the due and proper functioning of government. That is not why we have an ombudsman. It is to ensure that functioning will be due and proper in situations where, because of the proliferation of government in all its agencies and emanations, maladministration can and does occur which affects people who are involved with it.

And he goes on:

We are saying he must have a role which is a distinguishable role and not one which will be downgraded in the sense this government has downgraded that office because of the way it has conceived the role which is to be played by the Ombudsman.

So Mr. Speaker, it appeared very clear that that was the purpose. The then Attorney General, in responding to the debate at that time, and I read again from June 12, page 2888, said:

I think I can only assure the member for Riverdale that, as he knows, the Ombudsman is really the servant of this assembly and not of the government per se. I don't feel we have been remiss in the drafting of the bill by spelling out in detail how this relationship should be.

It was my impression and I think the impression of all members of the assembly at that time, that he was going to be independent from government—that he was going to be a servant of this Legislature.

Hon. Mr. Welch: It hasn't changed.

Mr. Roy: But that's what I want to come to, Mr. Speaker. My colleague, the member for Brock, says it hasn't changed. I say, when you want to constrain an institution, when you want to cut somebody back, when you want to curtail investigations, which is the best way of doing it? It is by cutting off the purse strings. You know that. We all know that. After 33 years of government, you have experience in doing that so you should know that.

Hon. Mr. Welch: You are clouding the issue.

Mr. Roy: So I say, Mr. Speaker—

Hon. Mr. Welch: This Legislature doesn't control that. Don't cloud the issue.

Mr. Roy: —by cutting back the budget, that's exactly what is going to happen. They say, well no, it's the Board of Internal Economy, as they call it. As my colleague from Wilson Heights has said, let's look at the board. There are three cabinet ministers on the board and—

Hon. Mr. Welch: The Speaker lays the estimates before the House, and we decide. We look at the arithmetic—

Mr. Roy: —the Speaker, and one member of the ruling party, and then one member of each of the two opposition parties. That's five out of seven. And of course, the way the NDP are acting, that's six out of seven.

Mr. Young: What about the estimates?

Mr. Roy: So I say, Mr. Speaker, even having all the faith in the world with the people who are on that board—and I don't presume any intent on your part—

Mr. Deans: Thank you very much.

Mr. Roy: I give you full marks for good faith, but if we relied only on the good faith of everybody, we wouldn't need this job at all. We wouldn't have to enact laws. The reason we have to enact laws is that we cannot always rely on the good faith of everyone.

Hon. Mr. Welch: You'd be denied this opportunity of political posturing right now on a false issue. It's not the issue before the House today.

Mr. Roy: So I say, how is the budget of the Ombudsman going to be looked at? That's the first thing.

Mr. Peterson: You've made it a big issue.

Mr. Roy: Everybody here at the time that the law was passed agreed unanimously that he was to be the servant of the Legislature and not of the government. But the first opportunity you have, you say his money is going to be subject to us. That's true. It's going to be subject because there are three members of cabinet on that board. There is the Speaker, there is the member of the Conservative Party and there are the two other members. I say five out of seven is a good way of controlling the purse strings. I can't think of a more effective way. In fact, it is





so effective, as my colleague from Wilson Heights has said—

**Hon. Mr. Welch:** Show me one dissenting vote anywhere in this.

**Mr. Roy:** —you can cut it back. You can cut it back without anyone else knowing and without giving any justification for it. I say that is not what we had envisaged and I say that is improper. The independence is not there.

[4:30]

**Mr. Deans:** That's also nonsense.

**Mr. Roy:** Worse than that, as my colleague for Wilson Heights has said, it is illegal. The Tories are prepared to act in an illegal fashion and if anybody should know we shouldn't do that, it is them. They have been taken to court twice; do they want to go some more?

He's got good advice which they agree with. They agree they don't have that jurisdiction but they want to give themselves jurisdiction by resolution. As my colleague has said, why don't they bring in amendments to the legislation? That's the way to do it. That's the legal way of doing it.

**Mr. Peterson:** Defer it until next fall.

**Mr. Roy:** The member for Wentworth spent some time apologizing and saying that he was acting in good faith in all of this and I'm prepared to give him full marks for that. I'm prepared to give him credit. I'm prepared to give him compliments until he wipes that scowl off his face and smiles a little bit. I'm prepared to give him full marks for that.

**Mr. Deans:** If I were to stop smiling I would begin to laugh.

**Mr. Roy:** That is not the point at all. It is that they don't have jurisdiction, as my colleague has said. They don't have the power to do it. What are we doing?

I say we are asking for trouble and I say the approach taken by the government, supported by the NDP, is illegal and improper. To suggest to us that the committee, whatever committee is set up to look at this, can increase the estimates is again something we don't have power to do. The Tories know that. The people on our right know that. We can't increase the estimates. Estimates or money spent must come from the executive arm. The members know that and it's false to suggest that this is a different approach which can be taken.

I say that we on this side are not prepared to accept this charade. We are not prepared

to accept the independence being compromised by this resolution; not only is the independence compromised, we are asked to act illegally and we will not be a party to this. We are proud to say, Mr. Speaker, that we in this party have certain principles and we are prepared to vote for these.

**Mr. Mackenzie:** Today or tomorrow?

**Mr. Renwick:** Mr. Speaker, I'd like to speak briefly on the resolution which is before us. We are engaged in trying to perform the difficult task, with a new institution of government, of reconciling the independence of the office, which is embodied in the statute which was passed by the assembly and reflected in the debates which led up to the passage of that bill, with the very necessary requirement, under a parliamentary system of government, of determining the best method to give the maximum independence to the Ombudsman in the function which he is to carry out, consistent with the responsibility of government —by which ever party it may from time to time be exercised in the province—to control the expenditure of public funds. The reconciliation of that problem is not, in my view, assisted by the allegation that what we in this assembly are about is unlawful, despite the distinguished—

**Mr. Singer:** It is not an allegation; it is a fact.

**Mr. Renwick:** —background of those who have put forward that allegation. Questions of law are to be decided in the courts and to impute to members of the assembly that what we are about in trying to resolve a difficult problem is contrary to law seems to me to be nothing but pitting the opinion of the member for Wilson Heights against the opinion of the member for Riverdale and in such circumstances I always accept the opinion of the member for Riverdale.

**Mr. Deans:** So do I.

**Mr. Singer:** Would you say it was better than the opinion of the Board of Internal Economy and its legal advisers and the law officers of the Crown? Is it better than theirs?

**Mr. Acting Speaker:** Order, please. The hon. member for Riverdale will continue uninterrupted.

**Mr. Renwick:** Let me say first of all, if I may deal for the moment with the arguments put forward by the member for Wilson Height—Heights—and the member for—

**Mr. Singer:** Renwick is always wrong.





Mr. Renwick: —Ottawa Centre—

Mr. Roy: No, East.

Mr. Renwick: —I reject as not worthy of consideration the suggestion, without any evidence other than the capacity of the imagination of those who put it forward, that the government of the Province of Ontario, through the instrumentality of the Board of Internal Economy, is engaged in subverting the Office of the Ombudsman so that he will suppress reports which are contrary to what the government want him to present. I reject that—

Mr. Roy: You were saying exactly the opposite last night.

Mr. Renwick: I don't intend to accept that and I don't intend to accept pseudo-legal arguments in the legislative assembly, or pseudo-parliamentary arguments disguised as legalities, when we are trying to settle a difficult problem.

There is a question—and we are quite aware of the question—that if a lawyer wants to examine the Board of Internal Economy, which the Legislative Assembly Act established with a certain jurisdiction, he can say, "Well, how would I question the resolution of the assembly adding additional responsibilities to that board without amending the legislation?" I'd say, "Well, that's all right. I think it can be done—at least in my view it can be done; I don't particularly conceive of a court upsetting it. I am not here in a legal capacity, but if that is a problem, we will be discussing the Legislative Assembly Act in the next few days in this assembly, and if the Clerk of the assembly, in his capacity as the adviser to the Speaker of the assembly, should be of the opinion that an amendment is required to the Legislative Assembly Act, then I certainly would support, as would my colleagues, the necessary amendment for that purpose."

It may be an important matter, and I would respectfully request, Mr. Speaker, that perhaps that matter should be taken under advisement by the Clerk of the assembly—

Mr. Singer: The Clerk?

Mr. Renwick: —for the purpose of advising the Speaker as to whether or not, in the circumstances, such an amendment is required.

My colleague from Wilson Heights said, "The Clerk?" Let me also say then that I am quite certain the Clerk, in his capacity as Clerk, both within his own knowledge of the assembly and the responsibilities as Clerk of

this assembly, undoubtedly would consult with legislative counsel, who is also counsel responsible to this assembly and not to the government.

I think that problem can be solved if it is a real one. I think it would be wise to look into it. None of us is interested in prolonging a dispute, or engendering the basis of a dispute, between the Office of the Ombudsman and the legislative assembly about the legality of what is being done. I would be quite prepared to abide by whatever that decision is. So, having rejected the allegation—

Mr. Roy: That was a very weak rejection.

Mr. Renwick: —the unsupported flight of imagination of the member for Wilson Heights—

Mr. Singer: Unsupported?

Mr. Renwick: —with respect to the motivations behind the government in the purposes which they are attempting to deal with—

Mr. Singer: You are redundant again. It's too bad.

Mr. Renwick: —and having expressed my concern, regardless of my opinion that the Speaker of the assembly should be satisfied that to give this additional jurisdiction to the Board of Internal Economy does not require an amendment to the Legislative Act, we should deal with it in that way.

Let me turn to the substance of the motion and the problem of reconciling the maximum independence of the Ombudsman, which is what we want, with the responsibility of government to make certain that the appropriation of public funds is done in accordance with the constitutional requirements of the British North America Act and in accordance with the long tradition of parliamentary government expressed synoptically in the British North America Act.

The normal course, as I understand it—never having been a member of the government, I have got to go by what I am told happens—is that requests from ministries go to—

Mr. Singer: You are not being legalistic, are you? Are you going to quote that section of the BNA Act you referred to before in your non-legalistic way?

Mr. Acting Speaker: Order, please.

Mr. Renwick: —the Management Board of Cabinet, which at the present time is chaired by the hon. member for Leeds (Mr. Auld). I





found that was a difficult concept for me to accept for the Office of the Ombudsman and indeed in the course of these discussions I found it also equally difficult to accept for the Office of the Provincial Auditor and for the other offices which are set out here. I was very pleased the government was prepared to say that, instead of the Management Board of Cabinet, they were prepared to have the initial request of the Ombudsman and the other offices listed in this resolution go before the Board of Internal Economy, a statutory body with representation from the cabinet and with representation from each of the parties and with the Speaker of the assembly as the Chairman.

I think in the solution of a difficult problem that was a very real step forward. I am delighted we have had this discussion and I'm delighted that it's not centred entirely on the Ombudsman but is part of the evolution of this assembly in gaining control over the budgetary requirements of those officers who are directly responsible to it and who are in a very real sense, without elaborating the separation of powers, responsible for this assembly rather than responsible to the cabinet and the executive government of the province.

In that sense, I take it that the resolution makes that provision, that the supply requests of the Office of the Ombudsman, the Office of the Provincial Auditor, the Commission on Election Contributions and Expenses, the Chief Election Officer and the Office of the Ombudsman should go before the Board of Internal Economy in the initial instance for consideration and that then they would come forward to the government, or in formal sense to the Lieutenant Governor, and in due course, in the formal sense, the Lieutenant Governor would send a message in the real sense of the way our system operates. The government would then table in the Legislature the estimates of the various offices to which I have referred, and in particular the estimates of the Office of the Ombudsman which is the one which is highlighted in the course of this debate. From there on, they would follow their normal and customary course and be dealt with by this assembly by resolution as to which committee those estimates would go.

That's my understanding of this particular resolution. There's a further reference that if at some point during the course of the year any of the offices referred to in the assembly require additional funds, instead of going to the Management Board of Cabinet they would go to the Board of Internal Economy,

and then come forward in the normal course and be presented to the assembly by message of the Lieutenant Governor in the formal sense and in the real sense of how the system operates by the government for consideration as supplementary estimates in this assembly.

It does seem to me in establishing the procedures, and I'm one in this kind of situation who likes to move, despite what I do in other situations, with the utmost caution, we should make those limited adjustments within our system which enhance to the greatest extent the independence of the Ombudsman and make it possible for the government to respect that independence by the way in which they proceed.

Therefore, it appears to me that the solution which is put forward here should not in any sense be considered necessarily a temporary one. I would be hopeful that it would evolve with whatever other changes are necessary into a permanent one.

Mr. Lawlor: I hope not.

[4:45]

Mr. Renwick: It may well be that we should consider it a permanent one and see whether or not it works, works in the sense of providing the maximum independence for the Ombudsman and the other officers of this assembly from the executive branch of government and within the framework of the government system enshrined in the British North America Act and in our tradition of government.

I have noticed, in the course of the discussions on this question, that the term in camera has been highlighted in some ways; I think quite inappropriately and quite inaccurately. The Legislative Assembly Act provides that the Board of Internal Economy can establish its own rules and procedures, and so far as I know, and I haven't checked the minutes, those rules and procedures have never established that the Board of Internal Economy will meet in camera.

I don't think there is necessarily any problem and I would be inclined to think that if anybody was interested in attending on the Board of Internal Economy while the initial request is before the Board of Internal Economy of any of the offices of the assembly that it would be possible to make arrangements so to do. I don't consider that I would be particularly interested in going there at that point in time.

It does seem to me that what we are headed for, in this question of maximizing the independence of the Ombudsman and





keeping him as free as it is possible from the control of the executive within this difficult framework of parliamentary government, as we understand it, it does seem to me that—and I would hope that in time it would become a convention—that the government, that is the executive branch of government, would not choose to alter the estimates as they came forward from the Board of Internal Economy to the government before they were tabled in the House.

**Mr. Singer:** That is what it is all about.

**Mr. Renwick:** If there were an alteration, of course, it would be known because the Board of Internal Economy is representative of each of the parties in the assembly and certainly my colleague, the House leader of this party, the member of the board, would inform us if there was some difference between the estimates as tabled in the assembly from those that were recommended as a result of the initial investigation which was made.

**Mr. Deans:** Immediately, immediately.

**Mr. Renwick:** Certainly there would be very serious questions raised about the reasons for any change, particularly if it were a reduction; and indeed I can't conceive of the government increasing the amount without having given good reason, well in advance, for what they were doing. It doesn't seem to me that the increase is a real question, it would be the reduction question which would be important.

So having established a forum within which the Ombudsman, rather than going to the Management Board of Cabinet goes to the Board of Internal Economy, I think we have made a real step forward in the solution of this problem. They then take their ordinary course, subject to the establishment, I hope, of a constitutional convention or custom that they would come through the government, to meet the requirement of the British North America Act, onto the floor of the assembly to be then dealt with, and in the ordinary course to be referred out to whatever the appropriate committee would be.

My basic concern has been that part of the independence of the Ombudsman, as distinct from the responsibility of the ministers of the Crown with respect to the use of public funds, would lead me to believe that is at the present time the best solution which can be made, so that when the Office of the Ombudsman is before the standing committee, for example of the administration of justice for consideration, we can deal with the substance

of that office, whether it is achieving the goals and objectives which it needs to achieve, in circumstances in which the members of that committee can meet frankly and fully and clearly with the Ombudsman to ascertain whether there are areas of his jurisdiction which should be enlarged, whether there are concerns of his with respect to the way in which he is able to conduct his office, unimpeded by discussions related to questions of dollars and cents, which I hope by and large would have been resolved before that time.

If, however, it did turn out that, before the standing committee on the administration of justice, the question of an enlargement of jurisdiction, the question of the inability to perform a function because there were not sufficient funds available, if any of those questions were to arise, I think it is quite within the purview of that standing committee on the administration of justice to report back the estimates to the assembly with a recommendation that additional funds appeared to be necessary.

I take it in the light of this amendment that the procedure would then be straightforward. It would be considered a supply request in excess of those tabled in the Legislature and under this resolution it would go to the Board of Internal Economy and come through the government by constitutional convention, I hope, on to the floor of the assembly for consideration as part of the supplementary estimates.

It does seem to me that in this difficult situation with a new institution of government and the obligation to provide the maximum independence for the Ombudsman—in our sense we are talking about his independence from the executive branch of government—at this time, consistent with the provisions of the British North America Act, this is a reasonable solution. I don't think anyone here believes that it is necessarily the perfect solution but I am quite prepared to feel that the various dimensions and aspects of the problem which have to be reconciled are well reconciled within the framework of this resolution.

I might say, if I could speak to the first sentence in the resolution, the reference of the present estimates of \$2.3 million back to the standing committee of the administration of justice is not only a wise thing to do but is consistent with the procedures which would develop in accordance with this resolution as put forward. I may say, as a minor addendum, that I am delighted that the resolution contains the further provision that effective





forthwith the expenditure request of each select committee of the assembly be submitted to the Board of Internal Economy for disposition.

For those reasons, as my colleague, the member for Wentworth, has stated and as we stated in the previous debate I feel, in a strange sense, very pleased that this kind of resolution is the kind of solution to the problem on which our party feels we should join with the government. The House leader of the government has moved the resolution and my colleague, the House leader of this party, has seconded the resolution. I think it's a worthwhile solution to a difficult problem with at least the three dimensions to which I have referred.

**Mr. Peterson:** Mr. Speaker, I want to be brief and briefer than my friend. I am very disappointed that this debate had to come along. I am not an alarmist and I am not a pessimist but I don't think this debate today and the charade we have gone through in the last month or so with respect to this funding has helped the Office of the Ombudsman or this Legislature. Frankly, I am sorry it was necessary.

I think if we are honest and look for the root cause of this problem, we would have to say that the bill was badly drawn and these things weren't contemplated. Or, failing that, that the government failed to follow the report which several members of both the NDP and our party signed, in addition to government members. Let's not forget that some of the people who spoke on behalf of the New Democratic Party today did sign a report recommending that these things go to a select committee to look after the affairs of the Ombudsman exclusively. I think it is quite a shame that we have to have this because I think it denigrates to a large measure the kind of work we want the Ombudsman to do.

I feel very strongly in support of my colleague, the member for Wilson Heights (Mr. Singer), and I think if we pass this resolution today we are going to live to regret it. I think he pointed out many reasons. I don't want to go through them all.

He has tabled a lot of correspondence and had a lot of minutes into the record. I have had that same correspondence and I have followed the story with him and on my own. I must say it is a trail of absolute confusion on the part of so many people and I don't feel that this is a solution to all that confusion. I think in five years you may very much regret the kind of decision you are try-

ing to force in this House today when we run into a possible problem of jurisdiction or confrontation over jurisdiction.

My colleague from Wilson Heights pointed out two or three areas of possible confrontation. There were, and let's not deny that, two or three issues in the short life of the Ombudsman to date when there was a confrontation over jurisdiction. The government knows that and all the people in the Ministry of Energy know that and we all know that.

We have to protect the independence of that man and of that office. I am not saying that untoward influence has been used to date. It may have been or it may not have been; I don't know and I'm not in a position to judge. I am saying we have an obligation to prevent that kind of thing from happening in the future. I assure you that your solution and the government solution is not going to prevent that kind of thing.

(Do you know who will suffer? Not the Ombudsman; the government will suffer. You will regret it. You will regret not giving this man and this office the kind of independence that we feel very very strongly he deserves in these circumstances.)

As much as I respect my friend, the member for Riverdale (Mr. Renwick), I found today his legal opinions were outshone even by the member for Wentworth (Mr. Deans); I'm getting more faith in the fireman's view of the law.

**Mr. Nixon:** My God, is that parliamentary?

**Mr. Peterson:** As I understand it, the member for Riverdale stood up today and said: "If we made a mistake and we don't have jurisdiction under the Legislative Assembly Act, we can change the Act and we'll get advice from the Clerk at a later date next week or the week after or whatever." I say that's the same kind of sloppy procedure that has come into this debate so far and into this entire charade and which we should prevent now. We should look at the whole thing now. What is to hurt us changing the Ombudsman's Act and/or the Legislative Assembly Act, depending on the solution to the problem.

Clearly from my reading of this Act, and I just want to read it into the record, as my friend from Wilson Heights has done that already, the Board of Internal Economy has power and duty to review estimates and forecast analysis of revenues, expenditures, commitments and other data pertaining to the Office of the Assembly and to assess the results thereof. My friend from Riverdale was talking about what this board does and their





jurisdiction. As far as I understand it, they don't have the jurisdiction to take new powers on to themselves. That has to be created by the Act. They can't just take this jurisdiction. They don't have the power under the Legislative Assembly Act to take that jurisdiction. What we have found, clearly, is a hole in the middle of this legislation.

**Mr. Deans:** What about the resolution? Isn't that what that does?

**Mr. Peterson:** Let me come to the resolution. That resolution, brought in the way that it was, really is a catchall resolution. It cleans up a few other problems that were raised by my friend from Wentworth last. I don't think we come in at this time just to try to work out a new system for the cleaning up of several problems. For example, this resolution refers to the Office of the Provincial Auditor and the election contributions and all that kind of thing. I think this debate was prompted by the problem we have with the Ombudsman on jurisdiction. I think we should address our minds to that solely and exclusively. I must say in a lot of ways I agree with some of your comments about a lot of the other bodies that are responsible only to the Legislature.

I don't think we should use this occasion to try to clean up all of these other mistakes in procedures too. I personally regard the Ombudsman as very much more unique than any one of these other bodies and it shouldn't be treated in the same way. I say respectfully to the House leader that I think he will live to regret it. Particularly with this man who has been appointed in this job, who is a very unique man and is an individual who is not prepared to back down on a lot of things, I think that you are going to find that you are going to be butting heads and causing that office to lose some of the prestige of the public. If that happens we all suffer as legislators.

I ask you all, what is the big deal? Why is there such a fuss, why have we wasted so much time in the Board of Internal Economy, in committee and two days in the Legislature? What is the big fuss? Clearly we all had in our minds and the committee had in its mind how this would be handled. Why has the government failed to bring it in? My two friends to the right here were signatories of that report. Why they failed to bring in that report, I must say to you, I will not understand.

[5:00]

But the point is you made a mistake, and the point is we should clean that up; and the point is, quite clearly, we need an independent committee of this Legislature which deals with the money and with the problems of that office. I have to refer to my friend, the member for Riverdale. I wish to repeat his remarks in Hansard last week. He said:

I'm very concerned. I expressed my concern on Friday last week. I don't want to go into a relationship with the Ombudsman being an office constituted by and through the assembly for the assembly. I don't want to be engaged in dealing with dollars with the Ombudsman. I want to be talking about the substance of his office.

Maybe right there lies the whole problem with the socialist philosophy all summed up in two or three lines. The committee has got to discuss the financial aspects as well as the powers and its problems.

Let me pose a very possible scenario that could come along, Mr. Speaker. Some day the Ombudsman says: "Look, I have a problem. It's a very big, serious problem as I see it, and I need half a million dollars to investigate it."

**Mr. Deans:** He'll get it.

**Mr. Peterson:** From whom? Is he going to the committee?

**Mr. Kennedy:** The resolution will take care of that.

**Mr. Peterson:** Is he going to a special little committee that deals with the problems, or is he going back to the Board of Internal Economy?

**Mr. Deans:** He is going to submit supplementary estimates.

**Mr. Peterson:** At that point you've got five government members controlling that committee. That's a very real scenario, Mr. Minister, a very real possibility. You know it and I know it.

**Mr. Deans:** How would he get it otherwise?

**Mr. Peterson:** He goes to an independent committee of all members of this Legislature, as independent as it can be, and he deals on that basis, not on the basis of the government. The odds are that in any problem that he has the adversary is the government—not the NDP and not the Liberal Party.

**Mr. Deans:** But there are still Conservatives on any committee.

**Mr. Peterson:** It's the government, and they're entitled to their fair representative share on this particular committee.





**Mr. Nixon:** It would be likely they'd be a majority however.

**Mr. Peterson:** I say to you, Mr. Minister, we have thought about this a great deal. I assure you that our intention is not to be obstructive, our intention is not to posture for political reasons. This is a very strong principle held by my friend, the member for Wilson Heights.

**Mr. Nixon:** Soon to be minister.

**Mr. Peterson:** We all feel very strongly about this. I hope you are appraised of how seriously we take this situation.

I must confess to you, I cannot understand the behaviour of the NDP or their view on this particular matter.

**Mr. Bain:** It's just a matter of standing on principle.

**Mr. Peterson:** It seems to me to be justification of a foul-up. The member from that party on the committee had to keep drawing his other friends and members into it. When the member for Lakeshore (Mr. Lawlor) was speaking today he was virtually talking about the very thing we were. The only difference was his conclusion. He was part of that committee that signed the report and I must say, with great respect for the member for Lakeshore, I don't understand how, by the logic that he used, he arrived at the conclusion that he did.

I'm very sorry it's become a problem in this House. I'm very sorry that we are divided. Heretofore, all three parties have been united on all aspects of this. It's been a great co-operative effort and I truthfully believe it's one of the great things that this House has done. But I regard this debate as destructive. I regard this motion as destructive and I would urge you to withdraw it and to consider a more fair committee—one that will have the appearance of fairness, where you won't ever have the appearance of government control. I assure you, Mr. Minister, it will prevent problems that could potentially arise in the next five, 10 or 20 years. The government will suffer, the House will suffer, and I'm very sorry that the other two parties are going to align to pass this motion.

**Mr. Nixon:** I was very impressed when the Ombudsman presented his comments to the committee on the administration for justice. I was sitting in the committee as one of the representatives for my party at that time and the tone struck by the Ombudsman in the presentation to the committee surprised me a bit. At that time I was not

aware of what had happened to the estimates of the Ombudsman and how he had been more or less knocked from pillar to post among the various committees and in communication with the government. I had the impression he was extremely sensitive to the possibility that the independence of the financial basis for his office should, in any way, be impaired.

I am quite sure the minister of the government who is the author of this resolution has conferred with the Ombudsman—at least informed him as to the course of action being taken. Of course, there is no way of knowing what the response would be. I have not talked to the Ombudsman personally about this and don't intend to.

The thing that struck me was how sensitive he was to the possibility that the financing of his office would be seen to be anything other than at the behest, directly, of the Legislative Assembly and under the direction of a committee which is representative of the distribution of the members in the assembly.

The arguments put against the present course of action, in my view, have been valid and cogent. I don't intend to repeat them. I simply say to you, sir, that the Ombudsman himself seems to be directly and deeply concerned in this matter. While he is a man with great breadth of experience and also experience in the legislative process—probably also the constitutional processes—I think we must be very much aware of his personal sensitivity to the actions of this House and of committees that have from time to time had a variety of degrees of responsibilities for him.

Like the member for London Centre, I too regret the fact that unanimity has evaporated as we come to this matter. I know that some of the members of the NDP and the Conservative caucus feel that it is just a very routine matter that by resolution we give certain authority to a committee that did not have that power and authority before.

I believe very strongly, along with the members from my party who have put forward the other argument, that the government should bring in the appropriate amendments and change the legislation as they would consider to be appropriate. The fact that we, as a House, have accepted, unanimously, the recommendation for the committee that was a part of the select committee recommendation, seems to me to be all the more reason we should have proceeded then, and we should proceed now, along those lines.





I sense that is the only fair way to deal with the office and the man—the Ombudsman. I sense that anything less than that may very well be considerably less than acceptable to him. The idea has been put forward, many times, that the committee structure, as envisaged in this resolution, is going to be something less than acceptable to at least a large group of members in this House, and perhaps even to the Ombudsman and his office as well.

It is up to us, of course, to decide that, but it must be decided in the light of the unanimity that has gone into the structuring of the office and the appointment of the Ombudsman, and the clear concept that all of us have put forward, that he must be completely independent in the financing of his responsibilities as he sees them.

The hon. member for Scarborough Centre (Mr. Drea), who is not in his seat the present time but has been here listening to the debate, was one of the strongest spokesmen on the government side for this kind of independence. The same views have certainly been expressed, without reservation or equivocation, by almost all members of the House.

The hon. member for Riverdale felt he was being unduly pressured by the Ombudsman to go along with a larger sum of money. I felt that was a rather unfortunate position for the hon. member to take under these particular circumstances.

I would say too, Mr. Speaker, that I do believe, along with others, that the acceptance of this resolution as some kind of a stop-gap remedy would be a mistake. We have the time and we have the will to do it properly, and do it properly we should.

Mr. Foulds: Mr. Speaker, I did not plan to take part in this debate but I have been following it very closely throughout this afternoon and I just want to make two points, as briefly but as forcefully as I can.

The arguments being put forward by the Liberal Party would have far more validity in a congressional system of parliament than they do in a British parliamentary system.

Mr. Roy: Here we go.

Mr. Foulds: I would underline that no officer of any kind, in our system, has absolute fiscal freedom which could amount to irresponsibility.

Mr. Nixon: That's why we are proposing this.

Mr. Singer: That's why we want the Legislature to have the say.

Mr. Foulds: I suggest that if we were arguing in a congressional system I would in fact give the Liberal Party arguments some weight; in a British parliamentary system, I give them very little weight. One other comment—

Hon. Mr. Welch: He is doing better than many others I have heard today.

Mr. Shore: He is not helping you at all, Bob.

Mr. Foulds: One other comment I would like to make; there has been some feeling in the capsule articulation by the last speaker, that the Ombudsman has somehow been knocked from pillar to post.

Mr. Peterson: The office has been.

Mr. Foulds: I thought that he was knocked from \$3.2 million to \$2.3 million; some pillar, some post.

Mr. Singer: Churchill would have been jealous about that last one.

Mr. Peterson: Are you going to get your other heavy lawyers out on this one?

Mr. Acting Speaker: Order, please; the hon. member for London North has the floor.

Mr. Shore: Mr. Speaker, I rise to speak on this subject with a great deal of pleasure, and unfortunately with some reservation as to what I've heard here today.

I am not a constitutional expert, as some are, nor am I a legal expert as some claim to be, nor am I a congressional expert as we've now found out we have in this House.

An hon. member: Well, what the hell can you do?

Mr. Moffatt: In fact you're not an expert on anything.

Mr. Shore: That's right, and maybe that's what you need here today, somebody who can see through this thing without being an expert.

Mr. Nixon: Good sense.

Mr. Foulds: Too bad it isn't you.

Mr. Shore: The expert, the hon. member for Port Arthur, who claims to be an expert on education and now is claiming to be the expert in congressional matters—

An hon. member: He was a pillar of expertise.

Mr. Shore: I think he has missed the point, as he often does. And the point is this: I've



read about this, I've heard about it today, and it seems to me, as many qualified and capable lawyers have stated, that you should not only be—

**Mr. Foulds:** You are going to take that as expert opinion, are you?

**Mr. Shore:** —you should not only be fair, but you should always appear to be fair. And there has been nothing stated—

**Mr. Bain:** You are just concerned about appearances.

**Mr. Shore:** There has been nothing stated, Mr. Speaker, by all the people who have spoken, with the exception of members from this side, on anything other than defending a situation.

The real issue is why try to defend something? The proposal put forward by my colleague is not trying to defend something, he's trying to clarify something, he's trying to make it clear so that there will not be in anybody's mind, the impression there is anything but an independent and impartial approach.

I think, Mr. Speaker, that the House leader and the government have a great opportunity to join in this objective process without having to defend something. This suggestion made is fair and it's reasonable. We could discuss, at some length, what may be in somebody's mind on this issue. I know there's economics behind this, and I'm suggesting to you, Mr. Speaker, that before we start to get into the economics let's try to rationalize what the original intention was and let's gamble on the economics afterwards, because if we lose sight of that we've lost sight of the whole purpose of this exercise. I would strongly urge the minister and I would strongly urge the government, if they ever had an opportunity to be fair and reasonable, it's now.

**Mr. Acting Speaker:** Does any other member wish to take part in this debate? The hon. House leader, the member for Brock.

**Hon. Mr. Welch:** Mr. Speaker, I've listened today, as I did last day, in connection with this matter. I suppose if I am to start off someplace, I would share the concern of the member for London Centre who said, and I hope I am quoting him correctly and fairly, that this debate has been destructive. I would like to suggest, as quietly as I can, that if it's been destructive it's because there have been some members, and I'd be prepared to refer to some of the remarks, who in their attempt to exaggerate some of the issues have con-

fused the whole issue of this resolution and have imputed motivation and have imputed an approach, which is really quite irresponsible on their part.

**Mr. Shore:** On whose part?

**Hon. Mr. Welch:** There is no one in this House, I haven't heard a member in this House stand up and deny the principles that lie behind the legislation which established the Office of the Ombudsman.

[5:15]

**Mr. Roy:** You tried to do it indirectly.

**Hon. Mr. Welch:** That is not in dispute. The member for Riverdale made that quite clear when he talked about the rationalization of two very important principles we have before us, one of which isn't even being debated in this resolution with respect to the cardinal principle in the establishment of the office. I'm not talking about the incumbent; I'm talking about the Office of the Ombudsman, which is independent and, of course, accountable directly to this assembly. Who in the world is questioning that at all?

I would suggest that if the debate has become destructive—and I leave that to the judgement of others—it's because there are those who, for reasons that are best known to them, have chosen to cloud the issue and attempted to posture in some very obvious partisan ways and flirted with that other principle, which isn't even in discussion at this particular time.

**Mr. Shore:** How do you—

**Hon. Mr. Welch:** The rationalization that the member for Riverdale talks about is a very legitimate one. We have the principle that this Legislature set up in the Office of the Ombudsman. We also have the principle with respect to all the rules and traditions that deal with the expenditure of public money—and I want to come back to that in just a minute—

**Mr. Peterson:** It is not in the Act.

**Hon. Mr. Welch:** I listened carefully to the member for London Centre; we're talking about that principle now. There is no question that there comes a time that there may well have to be some time spent with respect to rationalization. It may well be that the legislation establishing the Office of the Ombudsman is not clear with respect to the procedures to be followed to give the assembly the procedure to deal with the budget of the Ombudsman. Surely no one in this House feels that there wasn't to be some





scrutiny or examination by the Legislature of the budget of the Ombudsman?

Mr. Singer: Who said there shouldn't be?

Hon. Mr. Welch: Fine. Let the record show that there is no disagreement with respect to that. All we're talking about is the procedure by which that can be done in such a way that is consistent with all the rules we talk about—

Mr. Singer: And by whom. It is more than procedure.

Hon. Mr. Welch: Accountability. That's what we're talking about.

Mr. Singer: Darned right!

Hon. Mr. Shore: All right. When it became obvious through some procedural matters—

Mr. Singer: After a year.

Hon. Mr. Welch: —and I want to get back to an unfortunate comment made by the member for Lakeshore, when he tried to suggest procrastination on the part of the government in the resolving of this matter. I think that was unfortunate, because how can one person say we have to maintain a certain degree of objectivity, that we have to remember he is a servant of the Legislature, and then expect the government to take action unilaterally with respect to these particular matters without some prior consultation?

I think that what's happened during the period of time, whatever dates and minutes are, until the tabling of this resolution, and I don't intend to get involved—

Mr. Singer: Oh no.

Hon. Mr. Welch: —in all this harangue about who did what and who said what—

Mr. Singer: Or even any legal opinions?

Hon. Mr. Welch: —but simply to say, that it cannot be disputed that there have been many meetings and a great deal of consultation, and the result of that has been the tabling of this resolution.

Mr. Singer: Oh nuts!

Hon. Mr. Welch: This resolution is here, and I speak only to that point about these negotiations, which was raised by the member. I raise it too because I think it's unfortunate that the member for Wilson Heights during the course of his remarks, thinks it is

particularly appropriate to suggest, in a very inappropriate way, that I tried to persuade him, as part of my consultation in sharing things with him in a private discussion not to raise some questions in connection with this matter in the last few days. That is something I just can't understand or cope with—

Mr. Singer: On a point of privilege—

Hon. Mr. Welch: Allow me to say this—

Mr. Singer: What did you say to me? What did you say to me?

Hon. Mr. Welch: —that it's completely unfair.

Mr. Makarchuk: Sit down!

Mr. Acting Speaker: Order, please.

Hon. Mr. Welch: Would the hon. member like it on the record?

Mr. Singer: Sure. Put it on the record.

Hon. Mr. Welch: All right. The chairman of the administration of justice committee, during the course of the discussions with respect to this particular resolution, said that the hon. member for Wilson Heights was expressing some concern that it wasn't coming forward. I went to the hon. member and suggested to him that, in view of some comments he had made, it was appropriate indeed that we satisfy ourselves with respect to the points he made with reference to the Legislative Assembly Act.

Mr. Singer: By a legal opinion.

Hon. Mr. Welch: At that particular time he said, "Fine. I have no intention of raising the matter today anyway."

Mr. Singer: You have a terribly bad memory with respect to legal opinion.

Hon. Mr. Welch: The hon. member's memory is convenient to him but his argument didn't need that aside with respect to a private conversation; I want the record to show that—

Mr. Singer: Because it embarrassed you doesn't change it.

Mr. Roy: That is twice in one week you have been wrong.

Hon. Mr. Welch: —because it is becoming increasingly obvious that we would be wise on this side, in having discussions with people like the hon. member, to have a couple of others along with us with tape recorders. That's how silly it is. If they want this House





to work—it's a source of embarrassment to my colleague, the House leader of that group, that this is going on, in view of all the discussion prior to the tabling of this resolution—

Mr. Singer: The only thing silly about it is the people we are not in favour of; you are in favour of the people.

Hon. Mr. Welch: —if that's the price we pay with respect to that, that's fine.

Mr. Shore: It's your memory.

Hon. Mr. Welch: They can posture to the gallery all they like but their motivation is quite obvious.

Mr. Singer: Fatuous.

Mr. Shore: Does your memory ever fail you—

Mr. Acting Speaker: Order.

Hon. Mr. Welch: What we are faced with then, to go back to the principle, is the mechanism by which—

Mr. Roy: This is twice in a week you are confused.

Hon. Mr. Welch: Oh, yes, quite.

Mr. Singer: Where is the legal opinion you were going to get?

Mr. Acting Speaker: Order, please.

An hon. member: You'd confuse anybody, you fellows.

Mrs. Campbell: He's not being very gentlemanly, Mr. Speaker.

Mr. Acting Speaker: Order, please. The hon. member for Brock has the floor.

Hon. Mr. Welch: I know the member for St. George (Mrs. Campbell) would recognize the defect very quickly.

Mr. Shore: It's good to see you smiling again.

Mr. Singer: You forgot about the legal opinion, did you?

Mr. Acting Speaker: Order.

Hon. Mr. Welch: The point is that we're now faced with the particular situation of finding the mechanism by which the House can finally deal with the estimates of the Office of the Ombudsman. To rectify the situation we have put before the House a resolution which spells out a procedure.

Surely, all other considerations aside, it should be recognized that we now have a difference of opinion on one point, namely, the committee to which the estimates of the Ombudsman would be referred. Surely that's the point? We find, in the Board of Internal Economy, a procedure which provides for estimates to be tabled by the Speaker of the House with respect to these matters. We find that by referring these estimates to the Board of Internal Economy they can be laid before the Legislature for consideration.

Reference has been made to the establishment of yet another committee and concern with respect to the Board of Internal Economy and, in particular, its domination by members of the government. I would remind the hon. members that with any government of a majority situation—one has been invited to think in terms of more than interim and today's solutions; I appreciate the comment of the member for London Centre that we will be here five years from now to consider this decision on this side—in any majority situation standing committees reflect the ratio of membership in the House.

The member for Wentworth (Mr. Deans) made this point. In that situation, in any majority situation, a standing committee of the Legislature will have a majority of government members as well.

Mr. Roy: Can the committee increase the estimates?

Hon. Mr. Welch: The point is that no matter how we do it—I'm simply putting this point to members—no matter how we organize it, short of asking the Ombudsman to come in and deal with the entire Legislature—and no one has suggested that—members have recommended that there be some type of a preliminary examination by an all-party committee. No one is denying that.

Mr. Singer: All party? Five to two. There are three cabinet ministers.

Hon. Mr. Welch: The point is, I remind members that no matter how we look at it, ultimately we come to a committee, whether it's a standing committee or a special committee of the Legislature which reflects its membership and ratio. We have one already in place, surely to goodness, which is quite clearly organized to deal with matters of the estimates of those who are directly accountable to the assembly.

The member for London Centre (Mr. Peterson) quite rightly cautioned us, when he raised his questions, about discrediting the office and destroying the office and violating



all of these great principles. I must say as a member of this House that I take a great deal of exception to any such suggestion. I appreciate the comments of the members for Wentworth (Mr. Deans) and Riverdale (Mr. Renwick) in support that there is absolutely no evidence to suggest that the government party has done anything to interfere with the independence of the Ombudsman.

**Mrs. Campbell:** Just chop off the estimates.

**Hon. Mr. Welch:** To introduce that other issue into a discussion—

**Mr. Shore:** The member for Wentworth wouldn't say that. He's in your pocket.

**Hon. Mr. Welch:** —which is only dealing with the straight mechanics of making sure the Ombudsman has the resources to discharge his responsibilities unimpaired and with the full support of this Legislature, is quite irresponsible, I suggest. I would urge that this resolution be dealt with and carried so that this House can ultimately deal with the needs of the Ombudsman.

The House divided on Hon. Mr. Welch's resolution which was adopted on the following vote:

## AYES

Angus	Breithaupt
Auld	Campbell
Bain	Conway
Belanger	Cunningham
Bennett	Ferris
Bernier	Givens
Bounsall	Haggerty
Brunelle	Hall
Bryden	Kerrio
Burr	McKessock
Cassidy	Miller
Davidson	(Haldimand-Norfolk)
(Cambridge)	Newman
Davis	(Windsor-Walkerville)
Davison	Nixon
(Hamilton Centre)	Peterson
Deans	Reed
Di Santo	(Halton-Burlington)
Drea	Riddell
Eaton	Roy
Ferrier	Ruston
Foulds	Shore
Germa	Singer
Gigantes	Smith
Godfrey	(Nipissing)
Grande	Smith
Gregory	(Hamilton West)
Grossman	Spence
Handleman	Sweeney
Henderson	Worton—25.

## NAYS

## AYES

Hodgson  
Irvine  
Johnson  
(Wellington-  
Dufferin-Peel)  
Jones  
Kennedy  
Kerr  
Lane  
Lawlor  
MacBeth  
MacDonald  
Mackenzie  
Maack  
Makarchuk  
Martel  
McCague  
McClellan  
McKeough  
McNeil  
Miller  
(Muskoka)  
Moffatt  
Newman  
(Durham York)  
Norton  
Parrott  
Renwick  
Rhodes  
Rollins  
Sandeman  
Scrivener  
Snow  
Stephenson  
Swart  
Taylor  
Warner  
Welch  
Wildman  
Williams  
Wiseman  
Yakabuski  
Young  
Ziemba—68.

**Mr. Breithaupt:** Mr. Speaker, has everyone voted on this?

**Mr. Acting Speaker:** Yes, the hon. member for Durham East was going to rise on a point of order and I asked him to wait.

**Clerk of the House:** Mr. Speaker, the "ayes" are 68 and the "nays" 25.

**Mr. Acting Speaker:** I declare the resolution adopted.

**Mr. Moffatt:** Mr. Speaker, I'd like at this time to ask the House to join with me in welcoming one of my constituents and the leader of the federal New Democratic Party,





Mr. J. Edward Broadbent, who is sitting in the east gallery.

Hon. Mr. Davis: On that point of order, I think it is only appropriate that the Premier of this province recognizes such a distinguished visitor in the gallery and to extend to him all of our best wishes, to suggest

to him in a year and a half or two years, as he enters the lists on a national basis, that we wish him well and that he return with roughly the same number of seats he presently has.

Interjections.

The House recessed at 6 p.m.





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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Thursday, June 17, 1976

Evening Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, JUNE 17, 1976

The House resumed at 8 p.m.

## ENVIRONMENTAL PROTECTION AMENDMENT ACT

Hon. Mr. Kerr moved second reading of Bill 81, An Act to amend the Environmental Protection Act, 1971.

Hon. Mr. Kerr: I will take a few minutes on explanation by way of introducing second reading of this bill. As hon. members know, the whole subject of non-returnable or non-refillable carbonated soft drink containers has been under discussion, study and consideration for some time now. The first report was back in about 1971; it was called the liquor—

Mr. Nixon: That's a Freudian slip.

Hon. Mr. Kerr: —the Littering Control Council report. Next was the report of the Solid Waste Task Force and finally, last March, the Waste Management Advisory Board report was tabled in the House.

The last study and report had, of course, the advantage of previous reports and the knowledge that non-returnable containers were on the increase in Ontario, particularly in urban centres. The Waste Management Advisory Board report, in the light of this experience and information, went further than previous recommendations. Its basic recommendation is SIP—systems improvement programme—and it stresses the importance of the co-operation of the industry in changing the distribution system to meet our environmental objectives.

It indicated that it is essential the policy for the transition from the returnable and non-refillable to the refillable not exceed the capacity of the industry to implement it. In this time of government intervention in the economy, there is an opportunity to meet our objectives through the co-operation of the industry without excessive government control. Mainly through the work of the board, there has now been achieved a clear change in the attitude of the industry toward putting its own house in order.

Not until recently, in fact, since the Waste Management Advisory Board started its work and submitted an interim report, has there been tangible evidence of the ability and the willingness of the industry to change the distribution system to meet environmental objectives. For the first time since throw-away containers were introduced some 15 years ago, the trend to the use of non-refillables has been reversed and the use of refillables is on the increase. In other words, for the first time since the government has been studying the problem, the conditions for the development of a carefully thought out and flexible policy exist in Ontario.

The board has reported that in order to achieve the best environmental gains it is essential that refillable containers must be returned and reused as many times as possible. The distribution system must be changed to attain this goal. Industry is best able to achieve it within a flexible framework of government regulatory control. An orderly development of the necessary changes in the distribution system to handle refillable containers efficiently is unlikely to occur under rigid controls imposed by instant legislation. What is required here is control by regulation which can be readily adjusted to meet the complexities of the transition. The regulations can be detailed in design to ensure that the industry will meet a firm schedule of goals.

As the hon. members know, subsection 7 of section 94 of the Environmental Protection Act, as it presently reads, allows for certain regulations dealing with containers and packaging. At the time that bill was brought in and that particular section 94 was debated and approved, we were dealing and concerned more about litter; however, things have changed now. I think our problems are listed in an order of the problem of solid waste disposal and the use of energy as well as litter.

Bill 81 clarifies and enlarges on the existing provisions to enact regulations which may be necessary to develop, as I say, an efficient distribution system. That is why this bill is being brought forward at this time.





**Mr. Godfrey:** I am gratified to see that finally the government is doing something about the non-refillable and non-returnable container. This action is in response to literally thousands of letters and complaints from many people over the whole of the province for many years. It is surprising to realize just how long it has taken for the response such as we have tonight.

Non-refillable bottles were introduced in 1962 and by 1968 it was difficult to buy refillable bottles in some Metropolitan areas.

**Mr. Breithaupt:** You want to wait five years more.

**Mr. Godfrey:** I was interested in the minister's comments, in his brief chronology and introduction, at how he glossed over some of the gory facts which are hidden in his chronology because at that time, in 1968, the Ontario government was asked to regulate the manufacture and sale of disposable bottles. We are now coming around to the decennial celebration of that request. It was pointed out at that time that consumer attitude was an important determinant on the use of non-refillable bottles. A couple of years later in 1970, the can began to replace the bottle as a larger share of the market.

You will recall, Mr. Speaker, the massive mail-a-can programme, when citizens throughout Ontario mailed cans to the Hon. John Robarts at that time in order to impress upon him the necessity of doing something about the throw-away can, but still nothing was done. At that time, Energy and Resources Management Minister George Kerr through his waste management branch announced that legislation would be introduced in the next session of the Legislature restricting or banning no-deposit, no-return soft drink containers. Indeed, at that time, he said: "We must in some way, stop this proliferation of non-returnable bottles and non-returnable containers." This was on Dec. 7, 1970. But no legislation appeared.

In the same year, Pollution Probe pointed out that 35 per cent of the Canadian market consisted of no-return containers and urged the return to the returnable system by making it more advantageous to the manufacturers and the retailers. It also urged public education. They focused on an anti-litter campaign. By 1972, as the hon. minister has reported, a solid waste task force was formed.

In that same year, almost 70 per cent of all soft drink bottles sold in Ontario came in non-returnable containers. The newly appointed Minister of the Environment (Mr. Auld) reported at that time that he was "coming to

feel that a standardized returnable bottle for soft drinks is inevitable." Inevitable to the Tory government sometimes takes a very long time to appear upon the scene.

The average cost of solid waste disposal by burying or burning at that time averaged more than \$20 per ton. That price has increased since that time. At that time, it was pointed out that recycling was expensive, requiring high energy usage. The system is even worse now. The hon. minister pointed out that it was his intention to discourage this whole throw-away philosophy into which we were slipping.

Part of this intention was to be based upon the recommendations of a beverage packaging working group, a section of the Solid Waste Task Force set up by the government. However, this group brought in a series of weak recommendations which seemed designed to preserve the non-returnable bottle and can, and indeed that has happened.

At that time the Minister of the Environment, on Oct. 3, 1972, pointed out that the ministry did not want to be in the position of making arbitrary decisions. That was a faint echo of what we have heard from across the House tonight regarding beverage containers and forcing measures upon the packaging industry.

However, he pointed out: "Should it be obvious that the only way to bring about a reduction in the total amount of waste is by legislation and regulation, then this is the way we will be forced to move."

That is from James Auld speaking on Oct. 3, 1972. These were brave words indeed, somewhat echoing the brave words we hear tonight. Exactly 15 months later the same person pointed out that:

The province has a very definite commitment to hold the line on the increase in the amount of garbage we generate. Strong leadership will be taken in this field until we cut down as much as possible on one-way disposal containers. That will include tin cans, bottles, plastic containers.

There was another change in the ministry and the environment minister, the Hon. William Newman, presided over the release of a three-volume report of the Solid Waste Task Force. This report recommended that retailers stock carbonated beverages packaged in refillable bottles in the same sizes and brand type as they offered in non-refillable containers. This recommendation was not accepted by the minister. In addition, he refused to establish a deterrent tax on non-





refillables, with the result there was no incentive for retailers to stock refillables.

He announced yet another body to be set up, a Waste Management Advisory Board. By March of 1975, the advisory board was asked to report on ways to reduce the number of liquor and wine bottles in Ontario garbage.

All this time, citizens organizations such as the Federation of Ontario Naturalists and Pollution Probe were pressing that something be done about the non-refillables. The industry itself was responding and announced among other things an all-steel disposable can, but the government continued in its state of inaction. Thus after five years, three ministers and innumerable meetings, the non-refillable container was even more entrenched.

In answer to a further campaign by citizens organizations in March of 1975, the Environment minister announced that the soft drink industry had 12 months in which to start more refillable pop containers. However, he reiterated that the government policy to protect the consumers' right to a choice between refillable and non-refillables must remain. By August of 1975 the Waste Management Advisory Board noted there had been little change in the non-returnable situation.

By February of 1976 the Soft Drink Association of Ontario increased deposits on bottles from five to 10 cents and 10 to 20 cents on the larger sizes and urged the continuation of voluntary action for a reasonable time. That is, after six years of warning, they did not feel they had had sufficient time. Indeed, the ministry indicated that it doubted if the industry felt the government was very serious when it advised that something had to be done about non-returnables. The question arises, then, as to whether the industry feels at this minute that the ministry is really being serious about the non-returnable problem.

However, the attitude of the ministry, I must agree, seems to be firming and about time. A report on carbonated soft drink containers in Ontario—a report by the Solid Waste Task Force—brought about recommendations which had several very desirable points. However, in this bill the minister is choosing to ignore them.

For example, the task force report recommended that as of April 1, 1975, no carbonated soft drinks in non-refillable containers could be sold; but what does this bill we have put up before us tonight offer?

I am not happy that so much is being left to regulation, which may or may not be enacted by a ministry which has a reputation for dragging its feet in this particular area.

The bill lays the groundwork for a series of regulations by which the soft drink container and packaging industry will be regulated. As far as they go, providing the regulations are known to the House in reasonable time, this party can support the bill. However, what it does not offer is a real effort at solving the container problem. Not even the task force recommendations on the carbonated soft drink containers are considered in the Act.

[8:15]

The minister will recall that that task force recommended:

Regulations be prepared but not filed, pending further notice, prohibiting all retailers from selling or offering for sale carbonated soft drinks in non-refillable containers on or after April 1, 1979, and, further, prohibiting the sale of carbonated soft drinks in non-refillable containers through coin-operated vending machines on or after April 1, 1981, or, as an alternative;

Regulations be filed prohibiting all retailers from selling or offering for sale carbonated soft drinks in non-refillable containers on or after April 1, 1975, and, further, prohibiting the sale of carbonated soft drinks in non-refillable containers through coin-operated vending machines on or after April 1, 1981.

We cannot support the bill as it has been put up. It must be amended in order to come into line with some of the sturdy recommendations that have been made by this committee.

Why has the minister failed to take into consideration these recommendations? I suggest it is simply a matter of failure to control a growing problem in our society. He himself and his predecessors have been aware of this for many years. In spite of this awareness, they have failed to propose a programme which will work. Granted, he wishes to persuade industry and persuade the consumer to reduce the number of non-refillable and non-returnables by a combination of deposits on non-returnables and making returnable bottles equally available. While this may have some effect, it must be admitted even by himself and his ministry that in all honesty they know it will not solve the problem. The throw away will continue. The obstacle to returning bottles will continue.

Why has he failed to attack this problem? He is fully aware of the garbage; at the same time he is aware of the job problems associated with any recommendation such as we will make. This party on this side of the House, too, is keenly aware of the effect upon





the manufacturing industry and jobs therein of some of the recommendations we will make. We know soft drink cans produced in Ontario have a gross market value of about \$35 million and the livelihood of some 3,000 workers in Ontario and their families depend upon the industry and its annual payroll and fringe benefits of around \$20 million.

We are aware of the work opportunities in the glass bottle manufacturing industry, but precisely because of that awareness, we are requesting a solution to the problem rather than a Band-Aid over the problem with a bill such as Bill 81. It fails to provide in any way a real solution. In this failure it negates the magnificent efforts that have been made during the past year by the workers of the industry who have been made aware of the situation. The United Steel Workers and their representative, Mr. Doug Hart, have been foremost in their campaigns to reduce litter, and to try to develop, in association with the manufacturing industry, a can which is of less threat to the environment. Nowhere in the bill is there a commitment by the government to retraining or reducing or replacing these workers. Nowhere have I heard the government commit itself to a real programme of retraining workers, once the non-returnable, non-refillable is phased out.

In its failure to solve the problem, the bill undermines the magnificent work which has been done by volunteers in municipalities who have for countless Saturday mornings given up their free time in order to take part in a recycling programme. These unpaid volunteers have no prospect to look forward to but ever-increasing mountains of glass bottles and cans. They have read the pronouncements through the years that something is going to be done about the problem. Now all they see is a weak bill which promises they will remain knee-deep in brown glass.

The bill denigrates the magnificent activities such as are carried on by the Federation of Ontario Naturalists and Pollution Probe, or IS5, or Voices of Canadians in Oshawa, or the Pollution Probe group in Peterborough all of whom have spent many hours conducting surveys to show the marketplace is favourable to the non-refillable, non-returnable and actually offers a premium to the buyer who uses that route rather than encourages the returnable, refillable bottle. These organizations have generated many sound, valuable reports which point to the government how the situation can be handled. The Pollution Probe foundation studies in identifying the barriers clearly point out the economic advantages, the saving in energy and the gen-

eral good sense of a programme which phases out the non-refillable, non-returnable container.

The industry itself has been aware of the criticism and has attempted to develop a container which is more acceptable to a conserver society. The Metal Containers Manufacturing Advisory Council has made many studies and submissions which have served to focus attention on the growing garbage disposal problem and the litter problem. Such awareness of the problem and a desire to do something about it can easily be seen in their reports and in other reports such as the M & T Products of Canada. Nowhere in this bill and nowhere in the intent behind the bill do I see a solid commitment with a named time for the standardization of bottles with a clear programme for an incentive return system which will work.

The minister is very much aware of the fact that the soft drink bottle programme is only part of a much larger programme. He cannot avoid it when he knows that in the year 1975 the Liquor Control Board of Ontario sold 149 million bottles of which there were some 2,000 different listings with 1,400 different sizes, all part of a garbage programme he cannot take.

Mr. Warner: Put everything in beer bottles.

Mr. Godfrey: Government has been aware of this growing problem for many years. The opposition parties have been aware of it as may be evident from the numerous resolutions and bills which have been introduced from this side of the House, including the many resolutions from the members for Windsor-Riverside (Mr. Burr) and Yorkview (Mr. Young); and from the Liberal benches the members for Wentworth North (Mr. Cunningham) and Huron-Bruce (Mr. Gaunt).

I pointed out that the industry, the workers in the industry, the volunteer groups, the municipal authorities, are all in favour of a proper solution to the problem. I need not remind the government that the city of London and the city of Windsor have both passed bylaws which will attempt to tackle the problem of disposables in local settings. I'm sure the minister is aware of the fact that unless he does something now which will be definitive this type of action will break out in other parts of the province leading to a fragmented approach to the problem.

Why are we not getting a proper solution? This bill, which we can support, must be amended in order to get a proper solution. I am forced sadly to one conclusion. The minister simply is not capable of leading. He





himself admits that a 10 oz. refillable is difficult to buy anywhere in the province. The ministry is not competent to handle this problem in the same way as it's not competent to handle the problems of landfill and sanitary sites; in the way it is not competent to solve the problem of recycling and recovery of energy in our society—

**Mr. Warner:** Resign.

**Mr. Godfrey:** —in the way it is not competent to handle the increasing pollution of water supplies with the attendant terrible stories of mercury and PCBs.

I'm not trying to make this into a federal rap but I merely point out that the minister's incompetence to handle the bottles—a comparatively simple problem in our society—and the non-refillable containers, is merely mirroring some of the incompetence throughout the rest of the Ministry of the Environment. I say this without rancour.

I can appreciate the government is old and tired and forced to perform perfunctory legislation in the hope the problem will go away. I can assure the minister that the problem of the soft drink container will not go away. It will get worse and certainly will get worse under Bill 81 as proposed, unless amended.

There is no doubt we are facing a crisis with regard to the handling of garbage in our province. Garbage is a problem in that when we speak to the government the only answer we get is more garbage. The proposed bill must be amended in such a way that it creatively attacks this problem.

In order to do so, it is pre-eminently necessary that there be a positive, determined programme by the government to make sure workers are not displaced. If given sufficient lead time, there's no reason this cannot be accomplished. Included in the programme should be the setting of a date, a goal for the phase-out of non-refillable, non-returnable containers. Government, industry and the unions may then co-operate and work together to ensure that workers are retrained to take their place in another part of the industry at comparable levels of job sophistication. This can be done.

Associated with this programme must be a broader programme on the part of the Ministry of the Environment to roll up its sleeves and get into the garbage problem. Let us not talk of pilot projects and experiments, the technology is there, providing the government decides to recycle garbage and puts all the cost figures into the equation

which will show that it is a profitable business.

The "watts from waste" programme is not an impressive start. While it does generate electricity it wastes heat. The SWARU plant in Hamilton is not efficient. It most likely was never designed to be so, rather it is a token piece set up by a ministry which was harried into doing something. It lacked the imagination and resources to develop a plant which would do something about garbage, rather than turning garbage into garbage.

But on the other hand when I say that I'm surely forgetting that in 1970 the then Energy and Resources Minister, the member for Burlington South (Mr. Kerr), said the provincial legislation was planned to cut down on the use of non-returnable soft drink containers. I hope that he realizes the paper it was written on at that time has long since been buried in a sanitary landfill site which is most likely now contributing to the pollution of wells in Stouffville where I live, Owen Sound or other places throughout the province.

**Mr. Deans:** We used to call them garbage dumps.

**Mr. Godfrey:** Unless the government will accept an amendment which will put a time dimension on its bill, which will ensure that we're doing something positive about the non-refillable, non-returnable bottle, we can't support it.

**Mr. Cunningham:** Mr. Speaker, this bill simply allows the minister to make regulations to do almost anything he wishes to do with respect to non-refillable or non-returnable containers. In that sense we are just debating a principle of whether or not we allow the minister the power to make those regulations or not. The problem with enabling legislation is that we have no idea of how it will be used. Does this Act enable progressive regulations which we hope will be written next?

It is disturbing to me to note that the explanatory note at the front of this legislation makes no further claim other than to encourage the use of refillables or returnables. This is nothing new or different. However, we have made a judgement that the minister intends to take some action in this respect and I believe he has indicated that he has six or seven regulations out of the 10 recommendations proposed by the Solid Waste Task Force in regard to this problem. This matter has been the subject of considerable debate over the





years in this House and it's time that some action was taken in this regard.

While we are somewhat unhappy about having to vote in favour of a bill whose impact in precise terms is unknown to us, we are nevertheless going to support this bill on the condition that the minister give us advance knowledge of the regulations he intends to implement under the terms of the bill—

**Mr. Moffatt:** That's a funny motion.

**Mr. Cunningham:** —and that we be allowed to make any representation to the regulations committee in regard to any regulation with which we disagree before the regulations are proclaimed. The minister has agreed to this and so on that basis we are going to support the bill.

The big question that remains is what the regulations will say. Needless to say, it would be unacceptable to us if non-returnable or non-refillable pop containers were not phased out as in recommendation 2(b) of the Waste Management Advisory Board's report of March, 1976, which calls for a definite and unconditional ban on non-refillables with a three-year lead time.

At this juncture a history of this matter and a discussion of the impressive evidence compiled by the Solid Waste Task Force Waste Management Advisory Board in favour of a totally refillable system from the points of view of energy, resources, solid waste, tax and consumer savings, as well as net increase in employment, would in fact be in order.

On Dec. 19, 1974, the three-volume report of the Environment minister's Solid Waste Task Force was tabled in the Legislature by the then Environment minister (Mr. W. Newman). The main subject of the detailed report centred on the problem of just how much waste is caused by throw-away bottles and cans and what can be done to encourage the use of returnable bottles. While the facts in the report made clear the need for a ban on non-refillable bottles and cans, no strong recommendations were made because of the greater number of industry representatives over consumer and environmental representatives on the task force.

[30]

The provincial task force was formed back in the fall of 1972 to look at the problems of solid waste, and the then Minister of Environment, the member for Leeds (Mr. Auld) decided that it concentrate on the packaging of soft, carbonated soft drinks and alcoholic and other beverages. These problems were seen as the most pressing solid waste problems in the

province at that time. Two subgroups, the beverage packaging working group and the milk packaging working group, were formed to study these issues. However, half the members of the Solid Waste Task Force were representatives of the interested industry, and the industry representatives further outnumbered consumer and environmental group representatives on the two working groups by two to one.

The representation of these two groups did nothing more than polarize the industry and consumer interest. Since the business of the task force and the working groups was decided by majority vote, the composition of the groups was very significant. In fact, the beverage packaging group, which had seven representatives from related beverage industries and three consumer representatives, was unable to agree on anything except that the 16 recommendations it did offer would be inadequate in themselves to produce a substantial improvement in the availability of returnable bottles. However, an approach was made toward making returnable bottles more available to the public. What the findings of the report do show is that non-refillable containers are environmentally harmful and that any switch from the use of non-refillable soft drink bottles and cans to refillable bottles is beneficial to the environment.

The Solid Waste Task Force recommended adoption of the working group reports. The report of the milk packaging working group was tabled in the Legislature just a few months ago. The report of the beverage packaging working group produced 16 recommendations, of which the government has accepted 14. The first recommendation of the group was that where soft drinks were being sold, they must be available in refillable containers as well as throw-away containers. This would make sure that the consumers had at least a fair choice in the marketplace. Since then it is extremely difficult today to find a retail outlet which stocks returnable bottles. This was the key recommendation when compared to the others, but one which was rejected by the then minister, the member for Durham-York (Mr. W. Newman). Also rejected was a recommendation that the deposit price for beer containers be increased from the present five cents to encourage an even greater return of the bottles.

The one recommendation adopted which required response from the beverage industry was that the pull-tab on cans be phased out over the next 12 months. The cans themselves, however, would not be banned. The fact that this was the only recommendation





which required any action from the beverage industry is even more significant when one considers the fact that the industry was already working on this question.

On Dec. 22, only three days after the task force report was made public, Continental Can Co. of Canada announced a new type of flip-top can that is opened by a foil strip that remains attached to the can. I believe a number of other companies have variations of this style. Also recommended and adopted was that a waste management advisory board be established to provide a permanent group to look at the broader issues which had escaped the work of the Solid Waste Task Force, which had adopted recommendations dealing merely with the urging or encouraging of soft drink companies to promote the sale of refillable containers.

These recommendations certainly didn't do very much, as we have experienced, to encourage the use of returnable bottles but merely forced the vendor who sold returnables to be more regulated than before. In effect, while the Conservative government themselves have defined non-returnable containers as a problem, they have not taken any action to deal with the problem in the last four or five years.

It was back in 1970 that the new Minister of the Environment, who was also the Minister of the Environment at that time, promised legislation to reduce the use of non-returnable pop containers. In March, 1973, the Minister of the Environment stated:

The province has a very definite commitment to hold the line on the increase in the amount of garbage. Strong leadership will be taken in this field so that we can cut down as much as possible on one-way disposable cartons. That will include cans, bottles and plastic containers.

That was in 1973. That so-called leadership sparked the minister's successor, the member for Durham-York, to merely ban the flip-top on returnable cans, along with sitting down with industry to encourage them, yet again, to use refillable containers.

Throw-away containers not only create litter and generate solid waste but also consume energy and other non-renewable resources. Solid waste in Ontario now exceeds six million tons per year and garbage disposal costs the taxpayers of Ontario \$100 million a year. In 1972 the composite beverage industry generated an estimated 241,846 tons of waste at a cost to the taxpayers of almost \$4 million. The estimated waste amounted to 6.76 per

cent of the estimated 3,000,000 tons of solid waste collected by municipalities in that year.

Further, different surveys show beverage containers to make up between nine per cent and 33 per cent, depending on whose statistics you were relying on, of total litter in Ontario; at an estimated cost for collection of anywhere from \$843,000 to over \$13 million a year.

In 1972 the total energy consumption connected with the manufacture and disposal of primary containers amounted to 3,233 billion hours. This energy is sufficient to heat 25,500 average-sized Ontario homes for one year; and this degree of energy consumption would be valued at \$32 million.

Last year, carbonated soft drink containers and cartons contributed to 170,000 tons of Ontario's waste load, or about four per cent of municipally-collected garbage.

The ideal environmental solution would be to eliminate waste at its source, that is, to get rid of things that we do not really use, such as excess packaging; and replace things that are discarded after one use with things that can be reused many times over. The switch from the throw-away container to the returnable container would provide an excellent example.

In its inability to act on the question of non-returnable containers for the last six years, the government has done nothing more than to intensify the problem. It has created a situation which would result in employment disruptions and make a ban even more difficult.

The Solid Waste Task Force also studied this question of employment disruption by a ban on non-returnable bottles. While the container industry has estimated that 1,749 jobs would be lost by a ban, the analysis of the task force show that a ban on the use of disposable containers, would in fact result in employment for 2,435 people, a net increase in employment of 645 jobs.

I think it's fair to say at this point that many of these jobs would be lower paying jobs than the jobs presently available. We should recognize that, and that certainly causes all of us, I'm sure, some concern.

The return of the system of returnable containers would save the consumer over \$7 million, produce over 600 new jobs and have significant environmental effect. Obviously the Minister of the Environment has failed in his programme to persuade the soft drink industry to voluntarily bring refillable containers back into use, because consumer convenience, industry sales promotion and un-





willingness of retailers to handle returnables, are strong deterrents to industry co-operation, and they effectively eliminate consumer choice.

It was in March, 1975, that the former Minister of the Environment called on the soft drink industry, including manufacturers, distributors, bottlers and retailers, to voluntarily increase the availability of returnables within a one-year period. The industry's progress was monitored by the Waste Management Advisory Board. In its final report, however, the board most emphatically stated that the soft drink industry's attempt of increasing the availability of returnables during the course of that year was discouraging to say the least.

The harsh facts of the matter are that results were to be expected. The government has tried to use this method of persuasion since 1970 with no concrete results. After six years, four ministers and innumerable meetings and reports, the non-returnable or the non-refillable still prevails as strong as ever.

As far as the Liberal Party is concerned, we endorse entirely the Waste Management Advisory Board recommendations of standardized container sizes for soft drinks by July of this year. That makes a lot of sense and it can be done quickly. Now is the time to do it before our complete conversion to metric is effected in 1977.

I think there is no question about the fact that if the programme to reduce solid waste is to be successful, it will not be sufficient to merely have returnable soft drink containers available on a widespread basis to consumers. The rate of trippage must be increased significantly.

To increase trippage, the system has to be made easier for the consumer, the bottler and the retailer. This is not possible with the great variety of bottles on the market today. Therefore standardized containers would benefit all concerned, and most definitely the consumer. Standard generic soft drink bottles would simplify the returning of empties, mean less cost to manufacturers, and thus would likely result in less retail costs for the consumer. There is no question in my mind that because of the highly competitive nature of the soft drink industry, it will only be through legislation forcing this change to standard generic bottles that industry-wide changes will be brought about.

Further, we believe that a phased-in ban on the throw-away bottle is necessary. The industry should be given a year to readjust

and a year would allow the government to monitor the employment situation as well.

The can is in a somewhat different position. It can be recovered and recycled and subjected to a programme of resource recovery much more readily. The clean-community system, which is a kind of municipally-oriented kind of programme, has reduced litter by more than 60 per cent in some United States cities where the programme originated.

In summary, Mr. Minister, the problem with enabling legislation is how it will be used. The first question has to be does this Act enable the progressive regulations which we hope will be written? The minister has indicated he does intend to take some real action, despite the total inaction on this question in the past by a succession of environmental ministers.

At least the minister's waste management advisory board has done its best to enable a strong stance to be taken on this question. It is long overdue from our point of view and I hope the action will come to grips with some of these problems. In general terms, Mr. Speaker, the Liberal Party supports the ban on unnecessary and environmentally harmful packaging and we have said so on a number of occasions.

Let us not lose sight of the fact that action on non-refillable pop containers is only the first step in a war against the production of unnecessary garbage. What about non-carbonated soft drinks; wine, liquor and a host of other products now sold in extravagant one-shot packages? Action in these other areas is desperately required before we have a province full of garbage.

Mr. Mackenzie: Mr. Speaker, I rise to speak on this bill with some very mixed feelings and very grave reservations. It is not that I don't believe we need some standards and some real efforts to conserve and reuse our waste containers because certainly in this province we do. I think the government is under pressure and in my opinion, for the usual reasons, has taken years to zero in on a problem and to satisfy the critics, but I am afraid the bill is more cosmetic than real. I don't think it's really tackling the basic issues that are involved.

My reservations are basically twofold: We are tackling the problem from the wrong end and we're zeroing in, as a start, on the lesser items. I'm not really sure we've sorted out in our own minds whether it is a solid waste or a conservation or a litter problem. I'm not sure why it is bottles and cans or containers





we start out with, rather than paper and plastics or styrofoam. It seems to me the real approach to this problem is a recycling approach and that is an expensive proposition. It has also a lot to say for it in terms of preserving the resources we have in this country. That is my first concern, that we are not tackling, really, the right problem or that we're going about it the wrong way.

The second is we don't adequately consider the dislocation that may be involved. It is my opinion that a ban on cans and bottles—the non-returnable kind—is going to result in a fair amount of employment loss. I don't think there will be a gain, I disagree with the previous speaker on that. I am certain the new jobs in the handling of returnables will be at a heck of a lot lower wages for the people who are involved—he is correct on that.

I think what we should be planning, rather than the recycling approach, is the retraining programme—what we're going to do with the people involved, how we are going to take care of the people who are losing their work. We're not doing that at all in this bill. It is enabling legislation that is filled with references to standard packaging and containers and returnables and non-returnables.

[8:45]

I ought to point out, for just a moment, the sorry record of this province and this government in the area of alternate jobs, where a company has had to cut back or shut down various departments or close down a mill completely. We don't have to look very far. I am still today, in Hamilton, running into people who are the residue of the shut-down of Studebaker. We can certainly look at Dunlop here in Toronto. We can see very recently, in Hamilton, that there are a lot of people still looking for work as a result of the closing of, I think the Glendale Spinning Mills, just about a year ago. We certainly haven't given first consideration to the effect of anything we do on the employees involved.

We move to rationalize a service, to eliminate products, without really assessing what's involved in the work force and without providing alternative employment. We have to consider the effect on the livelihood of the workers involved and their families, and I don't think we are doing it. This is a real concern for workers—for glass workers, for canning workers, for workers involved in rolled sheet steel production, some of them fellows I have worked with for quite some time. They have observed what happens

to the workers in these other plants when they are phased out. I think we should understand the scepticism that they feel, and that they show.

I want to quote, just briefly, three very short paragraphs from a brief piece that I am sure most of you have seen in "Steel Labour"; it says:

Our vital concern in the controversy is employment, but not just in the can industry. Other jobs are also jeopardized, in transportation, maintenance, and clerical operations, in aluminum and related base metal industries, down the line. Laws to ban or restrict beverage containers are politically expedient but not proven with research to be sound. They are inconsistent, and certain types of solid waste and litter are singled out. They are unfairly directed at only one small portion of the work force and the economy.

I think that is a valid statement. They ask, I suppose, what are we really trying to do? Is it a ban on litter? They point out that if it is litter—and I don't think most of it is considered a litter problem, but certainly some people seem to get confused on this issue—then we are dealing with three per cent of the litter in terms of cans; we are dealing with one per cent in terms of waste material. I am not sure if the figures on paper are accurate; for example, the last figure I saw was 47 per cent of the waste that you see on the roadside is paper.

Take a look, also, at some of the plastics. Some of the plastics we are using, and some of the plastic bags and containers also, are derivatives of the petroleum industry. We could get into the energy costs and comparative costs; there is another whole field here.

I just want to speak briefly and generally. I am not going to get into some of the figures that are available. There are a lot of them, and I have looked at them, but I am really wondering if we are taking a look at the right problem.

In my opinion, the proper route is recycling. It's proper, in terms of protecting our resources and retaining our resources—and there might be some employment lost there as well—but I am not sure you can make an anti-litter argument justify this kind of legislation.

There is a programme, a very simple one, listed in this same edition of "Steel Labour." I think it probably makes more sense than the programme we have on the books here. There are six short points: "Legislation against over-packaging to conserve resources and energy."





I suppose that's two parts of this bill, and that, at least, I can understand.

"Providing technical assistance and financing for municipal reclamation and recycling plants." The initial costs and capital costs are high, but I think the long-term savings may very well be an important thing in the future of our country.

The other points include:

Long-time commitments to landfill programmes and incineration of garbage, which jeopardize recycling, must be stopped.

Make it pay to recycle. Establish economic incentives that make recycling resources more attractive than virgin resource extraction.

Set freight rates so that recycling materials can be moved more cheaply than virgin materials, because currently the reverse is true.

Greater use of recycled materials in new products. Set minimum content levels and raise these standards over a period of time.

I know, for example, that in the glass industry, in at least two of the plants now, they are using between 16 and 18 per cent of the soda ash they derive from the manufacture of new glass, new bottles. They can effectively use and certainly in the glass plant in Hamilton would use 40 per cent if it was available. It is not available. It seems to me that is one of the routes we should be going. In terms of the work forces involved, there is another thing we haven't clearly thought out when we talk about the workers. It applies in both the can and the bottle industries. We have, for example, a very young workforce at the glass plant in Bramalea. We have a very old workforce, comparatively speaking, at the glass plant in Hamilton.

We have no control over the companies and nothing in this legislation says where they are going to switch the production or whether men with 10, 15 and 20 years are going to feel the pinch or whether the young chaps who have just started are going to feel the pinch. There are an awful lot of unanswered questions in terms of what we do with the people involved and what we are going to achieve with this particular bill.

The best I can say for it is that it is probably designed to set some packaging standards and to increase the number of returnable containers used. I can't really argue with that but it seems to me that we are really tackling the wrong problem. Recycling and the effort we put into recycling is what we have to do. Before we make other moves which mean a straight ban or a phasing out, there has to be

some serious thought and consideration as to what we are doing to the workers involved and how many of them are going to feel the pinch. This is my concern with this particular bill.

Mr. Nixon: Mr. Speaker, many have spoken already—at least two have spoken as well as the minister—about how long this problem has occupied the attention of the Legislature. The hon. member for Huron-Bruce (Mr. Gaunt), my colleague who is in Quebec city representing our party at an important inter-party convention at this time, has introduced on probably four occasions a specific bill which would have banned the non-returnable containers in those days. One of the arguments put forward so forcefully by the hon. member was that unless action were taken at that time, the problem would grow in proportion until it would become almost insoluble. Certainly his predictions have come true because during all the—

Mr. Lewis: Unsolvable.

Mr. Nixon: Unsolvable?

Mr. Lewis: Yes.

Mr. Nixon: Sorry.

Mr. Lewis: I am sorry.

Mr. Nixon: It's all right. I sometimes mutter during your speeches, too.

Certainly the hon member was correct in that prediction. If the minister in his previous incarnation as the minister responsible for matters of this type had stuck to his guns with his original commitment to ban non-returnable containers, we would have been able to do it with much less dislocation than we foresee in the future.

It is interesting that hon. members of the NDP representing constituencies such as, say, Hamilton East—we will no doubt hear from Hamilton Centre (Mr. Davison) if he comes in tonight—and some of the other constituencies are very properly putting before us the concern they feel because at this stage it is bound to have a dislocating effect on the employment situation. The non-returnable container business is a huge business and it has been growing very rapidly.

I sometimes feel embarrassed when I think of the many hours I have spent, along with my colleagues, listening to the compositions put by those who had such a large and growing vested interest in the very profitable non-returnable bottle business. I am thankful that we did not, let's say, come under their blandishments to the extent that we could





support their position and we have been uniformly in favour of the kind of ban which was used in the State of Oregon and which certainly is an example for us all.

The governor and the Legislature there had the fortitude, at a time when it was still relatively simple to achieve, to pass a ban. And believe me the interests, as they would no doubt be called anywhere, came down in full force against them, saying that it would not work and that a state such as Oregon could not close its borders to the business of the rest of the states and so on, but they stuck to their guns and it has been successful. While they have had some problems in many respects it has been a model for what we should do here.

We have heard about the phasing-in of new regulations now for many, many years. I would regretfully come to the conclusion that it would not be responsible for this House to pass a banning bill without some procedure whereby at least the industry and the workforce involved and the capital involved would have a reasonable period of time to accommodate themselves. But I think probably our view of what that accommodation is is going to be somewhat different from that which may be put forward by others.

Certainly you can, with great fanfare, set a phasing-in period of a number of years which is going to be meaningless. But I think one of the most effective things which was done by this Legislature was the acceptance of the private legislation from the city of Windsor. They petitioned the House for the power to establish a ban at the municipal level and that power was granted to them by the private bills committee and supported by the Legislature. Now they have the power to ban non-returnable containers and I look forward to the day in the not too distant future when they will do so.

I said a moment ago that I felt there had to be some phasing, and I will tell you, Mr. Speaker, that if Windsor decides to ban them overnight I don't see anything wrong with that, because it doesn't mean that the whole industry in the province is dislocated. If the government through inability to act strongly in this regard has been unable to come in with some meaningful programme of phasing, I suppose we may see that phasing is going to be on some kind of a geographical approach and that Windsor, I hope, will move to accomplish such a ban. Maybe it will be a good lesson to the industry far and wide that this Legislature and

the representatives of the people here do mean business in this respect. I can remember when the member for Huron-Bruce first presented his bill and this was—what year, Harry?

Mr. Worton: In 1970.

Mr. Nixon: In 1970. It was debated and I can remember that it was supported on all sides, but rather half-heartedly by the government, who said think of the capital that is involved in this new and expanding technology. I'm sure the hon. minister will remember the speech. He may have made it himself. I should have looked it up so that I could quote whoever it was. But I can recall very distinctly that while the members of the government party were prepared to accept the principle of a ban they said think of the capital involved and certainly, recognizing the importance of the free-enterprise system, we cannot stamp out the initiative that has gone forward already.

This, mind you, was in 1970. A somewhat similar presentation came from the NDP. They said, we believe in principle that the containers should be banned, but look at the labour involvement. There is no way we can do this because of the lives of the individuals involved in a technology that is expanding so rapidly.

You can imagine how much more complex the ban is now than it was when it was first brought to debate in this House by the hon. member for Huron-Bruce six years ago. I regret very much that we did not, as a Legislature, take the strong action that we could have taken then. There was already an example in the jurisdiction that I have referred to. They were having problems, but if we joined with them it would have been my view that it would be something like the seatbelt legislation—not too easy to begin with, but the advantages become relatively apparent and other jurisdictions will follow along.

I regret very much that we haven't taken strong action in the past. I agree that this Bill 81 gives the kind of power that the minister feels he requires in order to bring about the regulations that will achieve the desire that I and my colleagues feel is so important.

I am very concerned with the conception of what a phasing-in of a ban might be. I'm quite sure we will be treated, during the debate tonight, to a number of views from the party to our right, the NDP. They have a strong core of conservationists and, very properly, they have a strong core of members who





must talk for their constituents who are concerned with their paycheque and their employment. I suppose, in this instance, they will be able to balance it in some way or another.

[9:00]

We'll see when their amendment comes in, but I would think, while the amendment may be couched in terms very much dedicated to the abolition of the non-returnable container, it will not put any undue pressure on the industry to accomplish it. I am very much concerned on that basis we might not be able to support an amendment which in its concept would be good. It may be that we will have to consider an amendment giving it even more effect than they are contemplating.

This is a matter of judgement and from our various backgrounds and views of the problem our judgements perhaps would differ. But we are in a position to take a stand here which will follow up on the decision taken by the private bills committee, supported by all parties which gave the municipality of Windsor the power to ban these without any phasing in at all and which apparently the city of Windsor will be moving on without too much delay. We are prepared, as our critic in this matter said in his effective speech a few moments ago, to support the bill but we really are serious about moving towards a ban on non-returnable containers. We want some sort of a statement from this House so that the industry will know we are not kidding and that it is not just necessary for them to phone up the minister the next day and make an appointment and come down with all of their statistics and the rest of that information they carry around with them to have it postponed still further.

I would think that this is the time when this House must more than go on record; it must make a decision that we are going to ban the non-returnable container, that it is not going to be flaccid in any way, that it is going to be specific and that we are going to set our hand very firmly to the accomplishment of what has got to be an important goal for the good of the province.

**Mr. Speaker:** The member for Timiskaming.

**Mr. Nixon:** This guy looks like a conservationist to me.

**An hon. member:** He is a farmer.

**Mr. Davidson:** I hope Hansard got that.

**Mr. Bain:** This evening, as I rise to participate in the debate on Bill 81, I feel we have to put the bill into proper context. We

are faced in this modern society of ours with an increasing number of throw-away items that have become, I feel, one of the dilemmas of our modern age. Even the automobile is designed to rust out; it is certainly not built to last. We are encouraged to consume things we don't really need; more and more chemicals are dumped onto the land and into the water. Aerosol spray cans are used. They are not needed. No one bans them, despite the fact they are destroying the ozone layer and are contributing and will continue to contribute to an ever-increasing amount of skin cancer.

We are using up much of our vital non-renewable resources in this kind of useless production and consumption. The pile of garbage continues to grow. Really, we know what is going to happen. Dr. Forrester of the Massachusetts Institute of Technology did a study at the beginning of this decade which indicated rather clearly that if the trends of production, consumption, pollution and utilization of natural resources continued, shortly after the turn of the century our society will collapse on itself simply because it will no longer be able to sustain this kind of consumption.

When we look at any product I feel we should look at it from the point of view of a utility, its usefulness. If it is not really a product that we need, we should limit it, discourage it or ban it. Plastic bags certainly serve no useful purpose. You go to a super-market today and buy fruit and vegetables and you can't get a paper bag in many of the supermarkets, they put it in a plastic bag. These plastic bags, don't decompose. They remain in garbage dumps forever in many cases or at least for a considerable length of time. The most useless of modern inventions has recently come on the market, the disposable cigarette lighter. Whoever invented that I think will go down in history as the saviour of mankind. With all these disposable, non-returnable items that we are producing the pile of garbage grows ever greater. We look at non-refillable pop containers and we see that this again is part of the problem of solid waste. But in this particular case there doesn't need to be a problem. There is a refillable container that can be used. We don't need to use non-refillable containers and I feel we should get away from them as soon as possible.

The non-refillable container has experienced a remarkable growth since it was first introduced in 1962. By 1971 cans had captured 50.7 per cent of the soft-drink container market and the non-refillable glass bottles





had another 10 per cent. By 1975 the non-refillables were up to 69.2 per cent of the province's soft drink container market.

It's not surprising that with the advent of a non-refillable container you have many conservation groups concerned about this problem. The Federation of Ontario Naturalists in November, 1970, launched a very successful campaign, a mail-in of non-refillable cans campaign, involving the then Premier of the province, John Robarts. In fact it was so successful that he was literally inundated with them and within a week his office refused to accept them through the mail. Upon the heels of this protest, the then Minister of Energy and Resources Management—the present Minister of the Environment (Mr. Kerr)—announced there would be legislation the next session of the Legislature restricting or banning no-deposit, no-return soft drink containers. That was in 1970. Finally, this evening, we are debating a bill that potentially could do that. It would seem the wheels of government turn very slowly in this province.

In 1972, a new Minister of the Environment (Mr. Auld)—by that time that ministry had been set up—announced the formation of a Solid Waste Task Force. One of the subcommittees of that task force, the beverage packaging working group, did a study which addressed itself to some of these problems. It's rather remarkable, considering the composition of the beverage packaging working group, that they came up with some of the conclusions that they did. Suffice to say that most of the people on this working group were representatives of the industry itself and there was very poor representation from consumers and environmentalists. But despite this, the working group did conclude that the returnable container was far superior to the non-returnable in terms of energy consumption and waste generation and that this should be the direction in which we were going.

Then, in 1974, we had a new Minister of the Environment (Mr. W. Newman), the present Minister of Agriculture and Food. I don't know whether it's a hazard of this particular ministry or just a hazard of the government in general, but the ministers tend to shift around a lot. He was a little less forthcoming in his commitment to returnable containers. He didn't accept the working group's belief that we should be going toward returnable containers. He pretty well shelved it, didn't do anything about it. Then we had the September, 1975, provincial election which brought the Ministry of the Environment

cabinet ministers full circle. We ended up again with the present minister (Mr. Kerr) who in this House this spring tabled the report that dealt with carbonated soft drink containers in Ontario emanating from the Waste Management Advisory Board.

One of its recommendations which has already been referred to by my colleague the member for Durham West (Mr. Godfrey) was that by April 1, 1979, no carbonated soft drinks were to be sold in non-refillable containers. But the minister still hasn't really acted on this, and tonight we are debating a bill that is not clear as to whether the government is going to actually ban non-refillable pop containers. Certainly the bill is so open-ended that you could ban non-refillable pop containers by using the bill, but it would appear from statements by the minister that he doesn't intend to do this, rather he intends to make the non-refillable and refillable containers available to the consumer in the supermarkets and corner stores, and he plans to encourage the consumers to buy more returnable bottles and cans. Cans would become returnable, perhaps, in the sense that you would place a deposit on them as well, and therefore there would be some incentive to return them.

This, of course, is better than nothing. This kind of approach has worked reasonably well in the beer industry, where a deposit on cans has meant that presently only 1.2 per cent of the containers sold in the beer industry are cans, so that is certainly a step in the right direction.

I think it is an incomplete step. The whole area of recycling has been one that has been neglected by the government. I was more than a little bit disturbed to notice in the weekend of June 12 issue of the Toronto Star there was an article that dealt with this matter of reclaiming and recycling and that many people who have religiously bundled up the newspapers and separated their bottles and put them out for garbage with the thought they were going into recycling, they actually have found out now that they are going to be disposed of in the normal manner of all other garbage; they're not even being recycled. Even the average person who wants to become involved in recycling doesn't have the opportunity to them to be able to do that.

We have countless groups, the Federation of Ontario Naturalists, United Steelworkers, Pollution Probe, which have all been pushing the government to get into a comprehensive





policy of waste management. As I've indicated tonight, the non-returnable pop container is only one area to which we have to address ourselves.

I feel it is absolutely essential that we ban non-returnable pop containers, but I also feel it is essential we protect the jobs of the workers involved, that we not do it in a fashion that is going to put people out of work. This past weekend, at our convention, we passed a resolution which supported the elimination of non-returnable beverage containers over a five-year period. We also strongly endorsed another part of this resolution which said that an NDP government would develop an overall labour policy which would protect workers in industries affected by environmental policies.

**Mr. S. Smith:** How, pray tell?

**Mr. Davidson:** You wouldn't understand that.

**Mr. Bain:** This I find myself to be the key—

**Mr. S. Smith:** Sure, sure; you talk out of two sides of your mouth.

**Mr. Bain:** You should know; I can take lessons from you if you'd like me to sit down.

**Mr. Speaker:** Order, please.

**Mr. S. Smith:** I thought I was good at it, but I have a lot to learn listening to you people.

**Mr. Speaker:** Order, please. The hon. member for Timiskaming.

**Mr. Bain:** This is the key to our consideration of the banning of non-returnable pop containers, you can't do things in isolation.

As I mentioned in the beginning of my speech, the non-returnable pop container is part of an overall waste problem, it's also part of a larger utilization of our non-renewable natural resources, it's a part of the overall environment in which we live; and you can't isolate one aspect. It's important that as we embark upon what I hope in the next few years will be sound environmental policies, sound utilization of our non-renewable natural resources, that we will provide protection for the people who are presently working in the areas of industry which will experience dislocation.

[9:15]

This is why I feel it is incumbent upon the government to set up programmes which

would retrain people; to set up programmes which would provide for early retirement, on full pension, of people who were dislocated; and to provide a series of ways whereby people who are presently employed in the can and non-returnable bottle industry would not lose their jobs. I don't feel this kind of a programme would place undue stress on the province's financial assets because if we were to phase in this ban on non-returnable soft drink containers over five years there would be attrition through natural retirement. It would mean that many people in the industry would have retired and therefore we wouldn't have the problem of having to pension them off for early retirement.

The can and soft drink bottle sections of the industries also produce other glass containers as well as other cans. As the use of cans for other foods increases with the natural increase in population we would have some of these people transferred from the production of soft drink cans to the production of other food cans.

I don't think we can leave job security to the open market. We have to make a commitment—the minister has to make a commitment as the government—to make sure that no one suffers dislocation because of environmental policies. They are environmental policies which I feel are very essential—in particular this evening, an environmental policy which would ban the non-refillable pop container.

As we consider the situation of the non-refillable pop container I think it's important for us to remember this part of the pollution problem is fairly severe. For example, if the non-refillable containers had been banned in 1972 the volume of solid waste from soft drink containers would have been reduced by 67.9 per cent. This would have represented a reduction in solid waste collection and disposal costs of \$1,753,000. There would have been a saving in energy of \$3,921,000 and there would have been a reduction—by 50 per cent—in the number of soft drink containers we find in our litter. There would also have been a reduction of 59,000 tons in the amount of non-renewable resources used. There is a considerable saving to be made if we do embark upon a ban on non-returnable pop containers.

There has been a lot of discussion about trippage for these bottles if they are reusable. I won't get into the argument of all these statistics but I think it's important to realize that if we had only refillable containers, we would probably end up with enough trips for each bottle to make it more than economical





and more than a wise move in terms of energy and conservation of non-renewable resources. It would probably be similar to the situation with the beer bottle, which has a trippage or rate of return of 20 trips per bottle and that certainly is economical.

**An hon. member:** Put everything in a beer bottle.

**Mr. Bain:** The banning of the non-refillable pop container is a first step in a wise conservation policy. It's essential that the workers be safeguarded in this and all other moves to protect the environment. Most important, it's essential that we make that commitment to ban these non-refillable pop containers now. If we do that we are starting on the road to wise management and the wise use of our environment and the wise use of our natural resources.

**Mr. B. Newman:** I wanted to make a few comments concerning Bill 81. I rise at the same time to support the bill, even though I would have preferred to have seen the minister take what action the city of Windsor did approximately one month ago; that was to actually ban the bottle.

I am just as concerned as any member in the House about the loss of jobs as a result of shift back to a returnable container from the non-returnable and from the metal can. I have sympathy for the workers who may be displaced as a result of that, and for their families. But, Mr. Speaker, remember the reverse took place not too long ago when we went into the non-returnable bottle. We had bottling plants in almost every sizeable municipality in Ontario. There were pop bottling plants, and breweries also.

With the advent of non-returnable containers the jobs became concentrated in the bigger municipalities—Hamilton, Toronto and other centres that I don't know about. So you can see a lot of the jobs were lost when they phased out the small bottlers in each one of the communities. In my own city at one time there were five soft drink bottling plants. Today there is only one, and it is as a result of that. Think of the number of jobs that were lost in that transition period.

I think if we get to banning the non-returnable container there might be a swing once again to the smaller communities, you would have the industry settling back in the areas which they left earlier. In fact, I hope during the course of my comments to point out that banning the non-returnable bottles, according to studies conducted in one of the states, will result in a gain in jobs. The gain may not

have been in the higher paying jobs, but the overall number of jobs actually increased substantially, according to the statistics I have in one of the reports that I will read later on.

It was back in 1970, as has been mentioned earlier, that my colleague, the member for Huron-Bruce (Mr. Gaunt), introduced a private member's bill. That bill was supported by all parties in the House. They saw the problems we were going to be confronted with in waste management, in discarding of the non-returnable bottle in every place in the community one could possibly think of and the hazard as a result of broken bottles throughout the countryside.

Government has failed to act since then. Community after community has asked this government to take some action. I don't have all the various resolutions passed by communities that were endorsed by the city of Windsor, but I will bring several of them to the attention of the House.

On Oct. 15, 1974, the township of Gloucester passed a resolution about what we are debating here this evening, and that was likewise presented to the ministry. On June 16, 1975, the city of Peterborough presented a resolution concerning the topic under discussion. On June 23, 1975, the township of March did exactly the same thing. My own community endorsed all of these resolutions. They were as interested as other communities in the province to see that the problem of the non-returnable bottle be met, after a fashion, so that at least that litter problem would have been diminished or minimized. The city of Windsor was so frustrated by the lack of action on the part of the government that they actually introduced the private member's bill on April 12 hoping that the ministry, seeing it, would expedite its legislation and copy what they were suggesting be done.

The city delayed following up on the legislation because the minister had intended to introduce his own legislation, but the legislation that the minister introduced, that we are debating this evening, didn't quite meet the needs of the community or what the community foresaw that the minister should have introduced. As a result they proceeded with the bill and the private bills committee in their wisdom accepted the bill and so did the Legislature, which passed it unanimously.

Mr. Speaker, there isn't one of us in this House who hasn't been confronted by residents in the community asking for action against the non-returnable container, or some way of controlling it. I can recall attending





meetings back in the sixties at the University of Windsor in which the environmentalists were extremely concerned and pressed their point for the need of some type of control over the non-returnable container.

Some jurisdictions have resolved the problem. The State of Oregon under the leadership of the then Governor Tom McCall, did pass legislation that banned non-returnable and soft drink cans. There was a bit of trepidation when it was first introduced; there was the concern that, yes, there would be a substantial loss of jobs, and that people would not accept such legislation. However, let me tell you, Mr. Speaker, that the words of the former governor, Tom McCall—and they have an unusual elective system where a governor cannot succeed himself; after one term of office he leaves and someone else takes over. In a comment at a meeting in East Lansing he said, concerning the soft drink can and throw-away bottle:

It is the most strongly symbolic issue we have in Oregon and it serves as a bridge from a wasteful society to a husbanding society. It fosters the clean-up ethic.

Continuing with his comments:

It is the most lied-about piece of legislation in history. The country's big breweries [he said] are sanctimonious as hell about all the jobs that stand to be lost, but the facts are that through consolidation into big regional breweries, they have killed off 12,000 of their own jobs.

So you can see those who resisted this in the first instance were responsible for a very substantial loss of employment by centralizing and concentrating their manufacturing process in one community, rather than having smaller plants throughout the state.

I am quoting again from the former Governor Tom McCall:

In Oregon the bottle bill has created employment. The price of beer and soft drinks is not higher. Our roadsides are cleaner and Oregonians are in landslide approval of the law.

This is Tom McCall speaking, not a governor but as a private citizen after this legislation had passed and after it had been in effect for approximately two years.

[9:30]

Mr. Lewis: When was that statement made?

Mr. B. Newman: This statement? March 27, 1976.

An hon. member: Right up to date.

Mr. Cunningham: Was he defeated?

Mr. B. Newman: I don't know whether I said only one term. Did I say one term? In Oregon you are allowed to be in office for two terms—eight years in all—and then you cannot run for that same public office again. So he has had eight years in which to prepare this legislation.

Mr. Lewis: Just eight years as governor?

Mr. B. Newman: If I said one term, I stand corrected and would like it known that it was eight years.

Hon. Mr. Kerr: Terms are only two years.

Mr. B. Newman: Gov. McCall also makes this comment: "We have to reduce our standard of living somewhat—not to the extent that it is a spartan existence, but from the opulent to merely the affluent society." So one can see that the man who pioneered this kind of legislation in the United States speaks with some authority. In fact, when asked what he would do in the State of Michigan to clean up, he said, it would begin with a ban on beer and soft drink cans and throw-away bottles, and then he commented: "Why in the hell don't you have it?"

Mr. Lewis: He used "why in the hell" often.

Mr. B. Newman: The Oregon Highway Department found that as a result of the state's bottle law, after it had been in effect only one year, beverage containers and roadside litter dropped by 92 per cent. The legislation was so effective that Vermont and South Dakota followed Oregon, and I understand the State of Maine is to vote on similar legislation some time this fall.

Michigan itself is considering such legislation. They must first have a petition with 300,000 signatures, I believe, so that legislation can be put on the ballot. The Michigan Public Service Commission conducted a study in 1975, and that study concluded that "although some job displacement would occur when the transition was being made to a returnable system, nearly five times as many jobs would be created overall. The anticipated 4,000 new jobs would generate \$28 million in taxable income." Those are the comments of a Mr. Tom Washington concerning a Michigan Public Service Commission study conducted only last year, 1975.

The commission's majority reservations about energy saving and litter prevention





are even less justifiable. The throw-away container manufacturing industry is one of the most energy-intensive industries, and this year alone will use an estimated one gallon of oil for every 10 lb of aluminum processed in the can industry.

The State of Michigan itself, by the way, spends approximately \$2 million on cleaning up litter, which is essentially bottles and cans.

Market Opinion Research conducted a survey for the governor of the State of Michigan, Governor Milliken. They asked people if they favoured or opposed a state law banning non-returnables. The percentage of those who favoured such a law went like this for the areas of that state: In Wayne county, which is just across the river from Windsor and essentially the city of Detroit, 69.8 per cent favoured it; in Lansing, the capital city, 75.9 per cent favoured it; in Macomb county, which is north of the city of Detroit, 78.7. Then when they went to the western part of the state, the percentage went up to 81. In Grand Rapids and Kalamazoo, 81.8 per cent of those who were surveyed by Market Opinion Research favoured the banning of the non-returnables.

In all, in the whole state, 73.3 per cent of those questioned favoured a ban on no-deposit, no-return bottles and cans. You can see, Mr. Speaker, in public opinion surveys the public does want the elimination of the non-returnable. As I said earlier, there is the concern for the loss of jobs. However, statistics in both Oregon and in the State of Michigan don't indicate there will be loss of employment at all.

**Mr. Davidson:** Non-productive states.

**Mr. B. Newman:** As I said, I don't know the type of employment that would be lost. As one of the previous speakers said, it may be the higher-paid employment that may suffer and the lower-paid employment that will increase. I don't know. I want to be fair with that and I am concerned. I certainly don't want to see people losing their jobs, especially at this period when there is a substantial percentage of unemployed in the Province of Ontario.

The city of Windsor does not intend to come along and simply ride roughshod over the bottling industry and the employees in these industries just like that simply because they have the right to pass the legislation. They are going through what I think is a proper procedure. They are going to pass a bylaw but, first, they have set up a committee that is going to see how this bylaw

should read, what the bylaw should contain and exactly how it should be implemented. They are going to get public input into their bylaw so that it would have the least harmful effect possible, if there is going to be a harmful effect.

**Mr. Acting Speaker:** Order, please. I think the hon. member is wandering from the the principle of this bill. Would you kindly return to it?

**Mr. Haggerty:** He is right on it.

**Mr. B. Newman:** Mr. Speaker, those were almost my concluding remarks and that's why I did wander to show you that, because of the lack of action on the part of your government, the city has had to ask for private legislation to do what really should have been done by the government. We hope that any regulations that eventually end up from this are phased in so that there is a minimum amount of loss to anyone involved.

**Mr. Kennedy:** I just want to speak briefly on the bill.

**Mr. Lewis:** Don't make it brief.

**Mr. Kennedy:** I will say what I have to say and let others take over. I am sure the subject will be exhausted by the time the second reading is completed. As the member who introduced the first private member's bill to ban the returnable bottle some years ago, I have a considerable interest in the solid waste programme problem, and that's what this is really about. Subsequently, there was a much greater interest in cans. The initial outcry, if that's the proper word, was against the bottles and broken glass and that is the thing that bothers me far more than the cans, because though we don't like to see them littering the landscape either, there isn't the menace with cans that there is with broken glass.

Following the introduction and debate of the private bill, I got a great deal of flak from the industry and from employees, and understandably so. But there was also commendation from those who saw only the undesirable results of indiscriminate use of bottles and scattering them around. I recall bringing in a bottle that was razor sharp and had been taken from about two feet of water at a very fine beach where a child had suffered a severe laceration of the foot by stepping on it. So it was in this respect that my concern was mostly centred.

However, quite properly, the whole matter of solid waste came into focus and it's been an ongoing subject. I do think that this bill—





and I commend the minister for it, it's a step forward—will go a long way to moving towards public awareness with the final result that there will be a lessening of the problem which we know exists and are striving to do something about, without dislocating industry and the spinoff from that industry, the whole distribution system of a multi-million-dollar industry and its many thousands of employees. We don't want to do this. I think that the bill is a move in this direction.

The move towards standardization of bottles, I think, is an excellent one. This should make more efficient the recovery and return of bottles—and I suppose you could use the brewing industry as an example. The competitive spirit isn't harmed. They can use different labelling materials.

I know the industry will find a way and yet, through standardization I think there'd be a more efficient distribution of soft drinks and other allied products that are the worry with which we're confronted here.

With those few remarks, Mr. Speaker, I commend the minister and I certainly support him in this bill.

Mr. Davidson: I too must rise to speak to this bill and, as my colleague from Hamilton East, I do so with varied thoughts and varied consideration as to what this bill in fact means. When we discuss this kind of bill we are talking not only about the environmental aspect and what that means to the people within the Province of Ontario. We must also take into consideration the people who work at the industries that produce and provide these containers and what in fact is going to happen to them if we move too swiftly to implement an outright ban in this area.

I'm a little bit taken with awe and, I suspect, inward laughability at the manner in which the Liberal Party is reaching out to embrace the environmentalists in the Province of Ontario.

Mr. Breithaupt: We're not putting them off for five years at least.

Mr. Davidson: I may very well say this, Mr. Speaker, because—

Hon. Mr. Keir: They need all the friends they can get.

Mr. S. Smith: Not at the expense of environmental principles.

Mr. Davidson: —it was only a few days ago that they reached out desperately to embrace the labour movement in this province and introduced, I believe, a series of six

or seven bills to amend the Labour Relations Act.

Mr. Breithaupt: Eight.

Mr. S. Smith: Nine.

Mr. Davidson: Whatever it may be. The number doesn't really matter.

Mr. S. Smith: Do I hear 11?

Mr. Grossman: Do I hear 10?  
[9:45]

Mr. Davidson: Most of which had been introduced by the party either through private members' bills before or had certainly had been discussed and talked about by members in the New Democratic Party many years ago and have been consistently followed up, up to this day.

Mr. S. Smith: We have really got you worried.

Mr. Davidson: You need have no concern about my worry with regard to the labour movement, I can assure you of that.

Mr. Breithaupt: You haven't got the monopoly on the labour movement.

Mr. S. Smith: Not our brother's keeper.

Mr. Davidson: And yet today their lead-off speaker who, I suspected, in his remarks was going to discuss the overall job potential loss in regard to this bill, simply casually mentioned there was the possibility of a loss of 1,794 jobs that would occur because of this. I would suspect that he took that figure out of one of the environmental task force reports because he certainly did not research it with the labour movement in this province. He did not contact the people that were involved and he did not discuss with them what would happen to people with jobs in the industries we are talking about. Had he done that, had he found these so-called people that he or his party suddenly became so concerned about—

Mr. Cunningham: Since 1970 is suddenly?

Mr. Davidson: —he would have found that in the can industry alone there are approximately 3,000 jobs at stake and in the glass and bottle industry there are between 600 and 1,000 jobs at stake for a total of anywhere between 3,600 and 4,000 jobs and not the 1,794 that he mentioned during his remarks.

Mr. Cunningham: What are you going to do about it?



Mr. Moffatt: Just listen.

Mr. Lewis: You are supporting the bill, aren't you; on an amendment to make it work?

An hon. member: So are you.

Mr. Cunningham: When, in 1981?

Mr. Breithaupt: In 1984.

Mr. Davidson: I would suggest to you that the concern of this party is twofold.

Mr. S. Smith: The socialist party and the labour party, and there isn't room for both.

Mr. Cunningham: There will be no dumps left.

Interjections.

Mr. Davidson: We are concerned with the effect of the non-returnable, non-refillable bottle and can in the Province of Ontario.

Mr. S. Smith: Yes, but.

Mr. Davidson: We are as much concerned as the party which is geographically on our left, but philosophically further to the right than the Conservatives. I can assure you we are as concerned as anyone who sits in this Legislature.

Mr. S. Smith: Yes, but.

Mr. Davidson: No buts. We are also concerned with the effect that this is going to have on the people that work in the industry, and not only them but the families they represent in this province. I think there is one thing that the Liberal Party in this province is failing to recognize and that is that the consumers are also the working people in this province.

Mr. S. Smith: And the unions run the NDP.

Mr. Davidson: The working people are also concerned about what in fact is going to happen at both levels and not just one.

Mr. S. Smith: You'll never be able to decide anything.

Mr. Moffatt: Oh, listen!

Mr. Cunningham: This is the time for strength here.

Mr. Acting Speaker: Order, please.

Mr. Davidson: I find it is not necessary to respond to the leader of the Liberal Party

because whatever he has said in his term here has been irrelevant.

Mr. Breithaupt: Did he say irreverent?

Mr. Davidson: Yes.

Mr. S. Smith: Irreverent maybe, but irrelevant no.

An hon. member: Where's Pat Lawlor?

Mr. Acting Speaker: Order, please.

Mr. Davidson: However you say it, it means the same.

Mr. S. Smith: There is the proof of the educational standard today.

Mr. Cunningham: Tomorrow back to school.

An hon. member: Send them all back to school.

Mr. Davidson: The member for Brant-Oxford-Norfolk indicated that this party had supported in the private member's bill the resolution from the city of Windsor. I would like to say with the greatest of respect that the member for Brant-Oxford-Norfolk misread what in fact happened. Had he checked the number of members in the New Democratic Party that were sitting on that committee he would have recognized the fact that two out of the three people present at that time did vote against the Windsor bill.

Mr. S. Smith: And the third one, pray tell? Can we assume all your decisions will not be two to one but two against one?

Mr. Davidson: Support comes in not one person against two but two against one.

Mr. Cunningham: A split decision.

Mr. Davidson: And I am not ashamed to say that.

No, I am ashamed to say that there are within our party at the present time probably a few little differences of opinion relating to this bill. At least, in saying that I can say this, that when it comes to the crux we will stand united and we will stand in the manner that we as a party have agreed to stand and we will not flip-flop across the country as other parties in this Legislature appear to be doing.

Interjections.

Mr. Davidson: Now, getting back, when my colleague from Hamilton East (Mr. MacKenzie) stood up one of the comments I





originally heard was, "Now we are going to hear a trade unionist." You know, "Here comes the trades unions' party." Let me assure you, Mr. Minister, I am a trade unionist. I have come out of the labour movement; I am not ashamed of that. Nor am I ashamed to sit here as a New Democrat and put forward the policies and the programme of the party as it relates to the people who work in the union industry.

Mr. Breithaupt: As you see it.

Mr. S. Smith: You shouldn't be afraid of being a trade unionist. Being a New Democrat is a different question.

Mr. Cunningham: Are people going to stop drink beverages, is that what you are saying?

Mr. Acting Speaker: Order, please.

Mr. Davidson: We have heard from several speakers of the Liberal Party about the so-called Oregon situation and how they seem to take that to their bosom and claim that to be the overall project that everyone should accept and use as a model.

Mr. Breithaupt: Like the member for Durham West (Mr. Godfrey).

Mr. Cunningham: Just because it didn't come from NDP research doesn't mean it's not a good idea.

Mr. Davidson: I think, first of all, the minister has to understand one thing. I am quite sure he is aware of it; I am sure he has seen the studies; I am sure he understands the Oregon situation.

Oregon is a non-productive state in the terms of which we are talking. Most of what they have is imported. Their business in this line is trucking. Most of the bottles and cans come from outside the State of Oregon and it cannot in any possible way relate to Ontario, where the production of the product we are referring to is a part of the economic situation under which we have to live and under which the government has to put forward its policy with regard to moneys raised and moneys spent.

Mr. B. Newman: Do you deny the Oregon experiment is a valid one?

Mr. Davidson: I am not saying it is not valid. I am saying it doesn't make any difference. It can't be applicable.

Mr. Lewis: Don't quote Tom McCall. He is frankly a dubious authority on the Oregon

situation, and I will give you chapter and verse.

Mr. Acting Speaker: Order please. The hon. member will continue.

Mr. Davidson: I do not intend to speak any longer on this subject—you can applaud all you like. I would simply like to say that I feel that this bill is heading in the right direction providing that the bill is applied in the proper manner. I feel there has to be consideration given to the people who are working in the industry that produce the products that we are considering putting out of existence. If we are going to talk about an outright ban on this, surely we must also talk about suitable retraining programmes for the people who are involved. We must give consideration that those who are not able to be retrained should be put in a position that perhaps they can take early retirement with full benefits.

These are things that are of concern to us. These are matters which I am sure that the minister has taken into consideration, for I have long felt that he perhaps is one of those who understands far better than any other on that side—

Mr. Breithaupt: What it is like to be redundant,

Mr. Davidson: —the value of putting programmes into effect and making sure that there are compensable programmes to balance them out. And to the minister I say this: We in this party are on his side in the putting forward of this bill, providing, of course, that he does consider the things that we have been discussing with regard to jobs, the phasing-out of the programme, and what it means to the economic situation in the Province of Ontario in terms of dollars.

Mr. Cunningham: We agree.

Mr. R. S. Smith: I just have a few comments to make, Mr. Speaker—

Mr. Moffatt: Hurray.

Mr. R. S. Smith: I will try not to be as provocative as some of the previous speakers on my philosophical and otherwise right.

Mr. Angus: Geographic right.

Mr. R. S. Smith: Geographic. Thank you very much.

Mr. Angus: You're welcome—any time.

Mr. R. S. Smith: I will accept your assistance any time.





I would think that there are perhaps three areas where this ministry has really proved to be unsuccessful over the years; this is one of them, one of the other two being the question of the pollution by the pulp and paper industry in northern Ontario, which has created such great problems. In 1965, I think, the then minister indicated there was a five-year programme that would clear up the whole situation by 1970. Eleven years later, just a few months ago, we had the same pronouncement from this minister, that indicates his success, and the success of this government, in that area.

The other thing that perhaps bothers a lot of us is the inability of this minister to deal with the Dow situation, which has now gone on for four or five years; between his efforts and those of the Attorney General, it is rather a farce.

The third situation, which we are now speaking of tonight, further indicates the inability of this ministry and the government to deal properly with the situations as they arise. There is no question that for a period of seven or eight years now, the no-return, no-deposit bottle should have been banned—perhaps in a phased way, as was indicated by a number of speakers, both here and on my right—in order to protect those people who would suffer directly. But it is odd that those people on my right didn't think that way about the jobs in northeastern Ontario when we talked about assistance to Texasgulf Sulphur—I am sure the member for Cochrane South (Mr. Ferrier) would certainly agree with me on that, as he voted in opposition to his party at that time—to protect certain jobs in northern Ontario. I suppose it doesn't really matter to them in northern Ontario, because they feel they are in a very good position there, but they have got to protect those jobs in southern Ontario. They have the same concept as the government insofar as that's concerned: What's good for southern Ontario is not necessarily good for the north. One can draw that conclusion—

Mr. Moffatt: That is really sanctimonious.

Mr. R. S. Smith: Well, that's the hon. member's opinion and his opinion is not too highly regarded either.

Because it is factual. If the hon. member will look back in the record, he will see that it's factual.

Ms. Gigantes: What is your position?

Mr. Acting Speaker: Order, please. Would the hon. member continue his remarks on the principle of the bill on second reading?

Mr. R. S. Smith: Our position is very clear, and has been since 1970 when the member who sits to my exact right put forward a private member's bill in this Legislature which would have banned non-returnable and no-deposit bottles.

Beyond that, I would like to say to the minister himself that his attempts to deal with the industry have been singularly unsuccessful, and the fact that almost 70 per cent of the pop sold in this province now is in non-returnable containers indicates that over the past years they have not listened to him, nor have they listened to this government.

Mr. Warner: He is embarrassed about it.

Mr. Davidson: Give him the figures I read out.

Mr. R. S. Smith: I repeat: 69.7 per cent of the pop now sold in this province is in non-returnable or no-deposit containers. I believe, of course, that recycling is the eventual answer, but we can't get to that in time to solve the environmental problems that exist right across this province.

I also believe that a part of the problem is the fact that the government, through its police agencies, has not had the ability, the wish or the desire to enforce the anti-littering laws that are on the books. If they were enforced, there might not be the outcry for the banning of non-returnable and non-refillable bottles. They haven't been enforced and they are a part of the total situation that can't be ignored.

[10:00]

Most of the environmental problems we have are along the roadsides and in the parks and in the areas outside the municipalities, where the non-disposable containers are left at will by people who are breaking the laws that govern littering within the province. So, it is twofold. It is the fact that they are allowed to be used in the first place, and the fact that the legislation that is now on the books that govern their disposal is not enforced.

I would say it is very difficult for us to support a bill that indicates we are giving to a minister and a ministry, which has proved in the past that it is not really serious in regard to the many areas of environmental protection that exists in this province, the right to govern by regulation. That's in effect what we are doing with this bill.





**Mr. Lewis:** Would you put in a time?

**Mr. R. S. Smith:** No, I never indicated a time at this point. I am saying we are giving him the right to govern by regulation. I personally don't agree with the right to govern by regulation, and that is what we are doing with this bill, as you must recognize.

**Mr. Lewis:** Can we not amend it?

**Mr. R. S. Smith:** Oh, yes, certainly we can. But, on the other hand, I think that the bill could have been brought in in the first place stipulating what the regulations should be; in fact they could have tabled the regulations at the same time as they tabled the bill—that's not impossible either. But now we are faced with second reading of a bill without regulation, and which provides only for the minister to issue regulations to put into effect what the bill purports to do and which it really doesn't do.

But, on the other hand, we must support the legislation as a first step—only a first step—and hope that the minister and his government will follow through with the regulations that are necessary, if it is to be meaningful at all.

With these few words, Mr. Speaker, I will conclude. I should hope that the minister has taken heed of what has been said to him tonight in regard to his responsibility insofar as the regulations are concerned.

**Mr. Grossman:** Mr. Speaker, in order not to take up too much time I will abbreviate my remarks as much as possible.

**Mr. Bounsall:** Go ahead, Larry.

**Mr. Grossman:** As the Tory member of the private bills committee who first spoke in support of the city of Windsor bill and caused the chairman of that committee—I think it was the member for Lakeshore (Mr. Lawlor)—to almost choke on his aristocratic pipe at the time, I might say I am pleased to rise in support of this bill as well.

The position taken at that time by myself and some members of the Liberal Party and the very honourable member for Peterborough in supporting that bill, is not at all a position that is inconsistent with the concerns expressed a little earlier by the member for Cambridge. In fact, the concerns of the member for Cambridge and the concerns of the private bills committee as well, in attempting to accomplish something that I don't think very many people, including or excluding former Governor McCall, should still, at this time, be disputing. That is that the non-refillable problem has got to be solved.

As evidence of the way the ministry is going, I do want to read part of a letter written by the Minister of the Environment just a couple of months ago to one of those industries. Indeed it was an industry that was lobbying very strongly in favour of part of the position put forward by the member for Cambridge. The minister's reply, in part, reads as follows:

Firstly, and running as a thread throughout all your points [I should add these are points raised in an earlier letter], is the contention that the soft drink market has reached its present position vis-à-vis the use of refillable and non-refillable containers through consumer preference. I share the opinion of the board [that is the Waste Management Advisory Board] that the market situation in Ontario has developed not through consumer preference but through industry and retailer pressures which have effectively placed refillables in a non-competitive position. It is obvious that if there is not a wide selection of products in a wide variety of sizes available to the public in refillable containers and if there is not a corresponding and extensive system of bottle collection and reception, then the battle to retain refillables is lost.

The minister goes on to comment that the reaction of the industry until the present time, as he has said on other occasions, has been frankly disappointing. What the private bills committee was doing that day—that very remarkable and important day—was saying essentially the same thing.

We are saying now the time has come and it is well on its way. I as one member of that committee, explicitly said at that time that there are serious problems with employment and there are serious problems with the environment. In order to solve both of those problems over a period of time, rather than jumping in with both feet immediately as the NDP often does—but this time, for once, with some sensitivity is not—rather than do that, we are going to say, at the private bills committee level in any event, "This is what the future holds. That is a ban."

**Mr. Conway:** You tell them, coach!

**Mr. Grossman:** We said at that time that we were not prepared—at least I said I was not prepared—to ensure support of every private bill that came before that committee in a similar context. But it was important at that particular time to say the handwriting is on the wall and industry had better buckle down and get to it.





That's what the minister has been saying but industry has not been buckling down to it. Now is the time, from the date of royal assent of this bill which I hope will be forthcoming, when industry will surely have to do that. The fact that the legislation is permissive in a sense, as was, of course, the private bill, is in order that in the interim the ministry may permit the industry—if not the government, I suppose, in the long run—hopefully, the industry to solve the very serious employment problems which certainly would be faced by an immediate ban.

I have to comment that the member for Cambridge came pretty close but drew back at the final moment to saying, "We are in favour of environmental projects and we are against pollution but let's take it easy. We are also in favour of employment, particularly in a heavily unionized industry. We don't want a make-work project but on the other hand and on the other hand and on the other hand."

**Mr. Breithaupt:** He sounds almost like a Tory.

**Mr. Grossman:** Let's not go on that ground. They didn't say these things on other issues. They supported my position of total opposition to the completion of the Spadina Expressway. They were not speaking to their trade unions who were saying, "Wait a minute. Environmental concerns and downtown traffic and the inner city are important but the building and construction industry is more important."

For once, they stood up and said, "Environment is important and the inner city is important and therefore we will have to stop it."

Interjections.

**Mr. Grossman:** I guess it has something to do with the areas their caucus represents from time to time. It affects their balance of priorities. In any event, our party voted unanimously at the private bills committee. We said to industry, "Get about cleaning up your act. Get about solving the environmental problem and the employment problem. We know you can."

We sit here a lot of days and hear the NDP say, "The Tories are too easy on industry. They can do it. You just won't push them. You just won't force them. You are too easy on them." I will tell them what: We are quite prepared in the next few years to be tough with them. Suddenly the NDP members have lost all the faith they had that

industry can solve some of these problems if we are tough with them. They want us to solve all those employment problems. They don't believe that over the next few years industry can do these things—retool, retrain—

**Mr. Conway:** Have you checked Yaka-buski?

**Mr. Grossman:** —retrain, re-equip, can you these things. Well let's just see.

I think this time we'll be consistent, as we usually are. You can balance environment and employment, whichever way you need on whichever bill you want at a later time, we'll go the environment route this time. Mr. Speaker, I'll be supporting the legislation.

**Mr. Bounsall:** I must admit, Mr. Speaker, that I found the remarks of the previous speaker, the member for St. Andrew-St. Patrick rather interesting—

**Mr. S. Smith:** Which NDP are you representing today?

**Mr. Bounsall:** —in this regard; he seems to put so much faith in what this bill is going to accomplish and the effect it's going to have upon the companies in Ontario when we have received absolutely nothing—I agree with the member for Nipissing (Mr. R. S. Smith) in this regard—absolutely nothing from this minister in the way of the regulations under which he's going to operate this particular bill.

**Mr. Grossman:** When Monty Davidson becomes the minister we will be in trouble.

**Mr. Warner:** Rule by regulations.

**Mr. Bounsall:** I am very uneasy with the vagueness of the minister's remarks on this Act to amend the Environmental Protection Act. This is enabling legislation which gives the minister power to set regulations relating to solid waste management, particularly the whole problem of the beverage section of the bottle and can industry.

There is the suggestion there be a ban on non-refillable bottles and cans, yet we haven't any idea at all about the minister's time scale on this. We don't know whether the minister is in fact going to ban all non-returnable, non-refillable beverage containers—how total that ban will be—or the length of the phase-in period, if any.

Therefore I find the remarks of the member for St. Andrew-St. Patrick and his trust in this particular minister rather unusual, in that we have nothing before us in detail about





what the government is going to do in the near future, let alone its long-range plan with respect to providing an environmental policy with respect to containers and solid waste management for this province.

We're going to have to take this Act to amend the Environmental Protection Act on trust, hoping that the minister is going to do something about it. The minister can either act tomorrow or continue to act as he has in the past, which is to do virtually nothing. This is what makes me very uneasy about this bill. It makes it difficult for me to come to grips with this bill in terms of anything I would like to say on this bill because of the very vagueness of it. Now having said that, let me say that of all the Ministers of the Environment we have had here in Ontario, or could have in the very near future, I feel the member for Burlington South—

**Mr. Warner:** The recycled minister.

**Mr. S. Smith:** He is certainly one of them.

**Mr. Makarchuk:** We've got a recycled minister—

**Mr. Bounsall:** —I would trust this member for Burlington South the most in taking some positive, rational stand toward solid waste management. I feel this minister is sincere in wanting to grapple with the problems of solid waste management, but we would like to hear from the minister tonight, or at the conclusion of the debate on this bill, exactly what the minister intends to do in the very near future and what his long-term goals are for the container industry—not just limiting it to the beverage container industry, but the entire field of containers, in particular, those which contain foods and which we have around our homes and offices.

What plans does the minister have to reduce the amount of waste material at our sanitary landfill sites or dumps? What plans has he to see that glass, other than beverage container glass, doesn't end up there? What plans has he to see that cans do not continue to build up at the same rate, other than just beverage cans, at our solid waste landfill sites? And is the minister going to do anything at all about the entire area of plastics, since most of this material which is dumped at landfill sites is non-degradable?

[10:15]

What steps is the minister going to take to see that this entire field is regulated because plastics, particularly polyethylene, are very easily and simply melted and very simply and

easily re-extrudable? Does the minister have any near future plans for that because this is one area which does concern me very greatly?

As a chemist I know how easily these things are treated. I worked for a couple of years in the plastics industry, basically in the extrusion of polyethylene-type products and they are easily melted. The type of container our vinegar now comes in is easily melted and extrudable. Is anything being done about that? If not, why not?

I see this as all part of the package. What sort of solid waste management are we going to have so that we have virtually no plastics turning up in our landfill sites? We can have regulations saying that plastic which cannot be re-extrudable are not used for containers in the Province of Ontario.

What are we going to do to see that no can—or very few of them of any kind—ends up in our landfill sites? And that they are all reusable and remeltable? And that all the glass is reused in our gas industry in Ontario? All glass can be reused. It's a waste of natural and raw resources to have these things sitting around in our landfill sites which take up great amounts of space in this Province of Ontario. Quite a lot of this would be unnecessary if in these three product areas we had a system whereby all of them were collectible and all of them were reused.

I would like to see and hear tonight at the conclusion of this debate the minister's long-term plans for this. I want the minister to come clean and tell us, otherwise this bill really is meaningless. It allows the minister either to take action tomorrow or keep putting it off. I trust this particular minister's interest in this is such that he will not be putting it off but now is the time to tell us exactly what the time schedule is and how he sees the future for Ontario.

I have been looking at this whole problem of solid waste handling and what should be done with respect to all containers, not just beverage containers. I would like to see an Ontario in which every beverage container—let's talk first of all, at this point, about beverage containers—is either refillable and returnable with a substantial deposit—

**Mr. Warner:** Including liquor bottles.

**Mr. Bounsall:** —or is completely recyclable, with the systems set up for their collection.

The people of Ontario, therefore, with this type of system in place, would either return those beverage containers which are refillable with a deposit large enough to encourage and ensure this or—and at the same time—





be available to them centres to which they could return all non-refillable containers. This means what's still left on the market is non-refillable glass; all renewable and re-extrudable plastic material and all cans. There would need to be a system of garbage and trash separation so that these products could be kept separate upon pick up and, in that sense, easily sortable upon pick up for their redistribution to the various centres at which they would be recycled.

Taking a look at the glass portion of it separately, all glass containers, not just beverage containers, can be collected and fed back into the system instead of cluttering up our dumps.

This is what should be done. You either turn it, with a large deposit, or for those beverage containers and all other glass containers a system should be set up whereby they are returned and fed back into the system.

The same is true of cans. I am told that many states in the United States now require beverage cans to be uni-metal aluminum cans and these uni-metal aluminum cans can be easily collected. If this is being done in the states and if the energy needed to melt and reform one of these cans is less than what it takes to recycle a non-returnable glass container then I would like to hear the minister's remarks about moving into a uni-metal aluminum can in the canned beverage world with encouragement to all people in Ontario to return these either to a return site, perhaps, to a combination of all three: A site to which they would get used to returning cans; separate them for their garbage collection; or, the garbage having been collected, those cans are separated from the garbage. Those cans would all be recycled.

I quite understand that in moving the cans around the country you don't want to have them in an unflattened form. In terms of the weight per volume it wouldn't be feasible to truck them. You would need, therefore, a device which flattens them so it could be worth trucking them around the country.

This is a feasible thing and a good and wise use of our natural resources. You produce an aluminum can which, after use, is collected, flattened and trucked to a site and reformed again. What are your plans for that? To me, as a conservationist—and I am indeed very interested in all aspects of conservation—this is what should be done.

It therefore occurs to me, if that is what Ontario is going to do in terms of the beverage industry, the uni-metal aluminum can can

be applied to many of the other can uses. Perhaps soup cans as well can be handled in the same way and the extension of a uni-metal can to many, many products, apart from the beverage industry, would be the proper thing for this government to be doing in terms of the reuse, the melting and the re-forming of cans.

Lastly, I'm very concerned about plastics—those which are completely non-degradable when they are dumped into a land-fill site. I would suggest to the minister that he investigate fully which plastics can be remelted and re-extruded. Certainly, the polyethylene containers are easily recycled. If there are some which cannot be easily remelted and re-extruded, then—

**Hon. Mr. Kerr:** Most of them are.

**Mr. Bounsall:** Most of them are. All right. Then perhaps there could be some standardization in that field, so you're only dealing with one or two different types of plastics for container use. Perhaps that could go into effect so we don't have all that non-degradable material cluttering up our land-fill sites, but it is in fact being reused.

Secondly, this makes good sense and will make even greater sense as time goes on and as our petroleum prices increase, because these are all petroleum products. The price is escalating sharply on petroleum products and we should be reusing this petroleum byproduct as often as we can, not letting it simply pile up in its non-degradable form in our land-fill sites.

The city of Windsor bill interested me and I gave it my support. It would have been an interesting experiment, if the city of Windsor passes its bylaw rather shortly, to see exactly what would happen in this city, the fifth largest city in Ontario, if all the beverage containers on the shelves in Windsor had to be the returnable kind. This could have been the pilot project for the province in terms of complaints from the consumer, or of what percentage of these bottles are being returned at the present deposit rate and so I would not like the minister to hold off on any of his other plans, which we'd like to hear about, to see how the Windsor experiment is going to work, even if they put it into practice right now. But I review this as an interesting possibility. Windsor, getting into this, is an opportunity, for the people of Ontario, to have a look at what complaints and what difficulties, if any, arise when a large city moves completely to beverage containers, all of which must be





returned, and the non-sale of any that are not returnable, as a pilot project.

This does not mean that I think this is an overall solution to the whole question. I personally, and our NDP policy is such on this, would like to see standard container sizes for beverages in Ontario, so that one can shop around and price-compare readily, with, maybe, as few as two or three sizes only allowed. I can't say that I'm that enthusiastic that the shape be uniform. This is also part of our party policy. It doesn't distress me that this is part of our party policy. I just question, from time to time, whether we want beer-bottle type bottles for our entire beverage industry. It doesn't really matter to me. I can drink my Coke out of a beer-bottle-shaped bottle, and my orange crush. I just wonder if that is absolutely necessary. I'd like to know what the minister's views are on not only standard sizes but standard shapes and types. Kind of like the Coke bottle. I would regret its disappearance, slightly, but not enough to make me fight party policy in this matter.

Mr. Lewis: I sure as hell hope not!

Mr. Bounsall: Unlike the bottle, I don't like the product. We never have Coke around, anyway, in our place, but I've got used to the appearance of the bottle. I could get used to drinking it, the odd time that I do drink it, out of what I consider to be a beer bottle.

Mr. Breithaupt: With two straws.

Mr. Bounsall: And it doesn't cause me much concern, one way or another. I just would like to know, is that the type of standardization into which we're heading?

Mr. Grossman: Tories drink it out of a glass too.

Mr. Lewis: Not without a straw you don't. If you are a Tory.

Mr. Cunningham: We've all got to be good for something.

Mr. Foulds: Bob Johnston uses it too.

Mr. Bounsall: I think, Mr. Speaker, that we need a rational, long-term policy, for waste management, that takes into account all of the three materials over which we are concerned—plastics, glass and metal—that we must reconcile the environmental issues against the needs of workers in this industry. What we want is the most rational policy. I think that, if you don't have it in your ministry, you should have a committee or a board—let's call it a products review board—which would look closely at products and packaging being done now.

We're very much against unnecessary packaging. Have a look at all that packaging on the market and judge them according to their environmental criteria, their durability, their reusability, their repairability, their refillability, their recyclability and their re-extrudability, to see which of those products we should be thinking of taking off the market. In terms of new ones, they must fit into those criteria set up by this products review board.

Mr. Speaker: Does the hon. member have further remarks to make? I notice the hour is now 10:30.

Mr. Bounsall: I do have one small area left, Mr. Speaker, but it might take me more than one or two minutes.

Mr. Speaker: Would you care to adjourn the debate?

Mr. Bounsall moved the adjournment of the debate.

Motion agreed to.

Hon. Mr. Handleman: Mr. Speaker, I move third reading of Bill 98.

Mr. Renwick: Mr. Speaker, on a point of order, it is 10:30 of the clock.

Mr. Speaker: Almost.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House, may I indicate that tomorrow it is my understanding that the select committee on Hydro is going to table its report and there will be some discussion on that, following which we will continue with legislation, starting with this particular bill, and any other work that we can do in committee. If there were time we might even go to budget debate.

[10:30]

Mr. Renwick: Mr. Speaker, on a point of order about the business tomorrow. I wonder if it would be possible, in the light of the developments today and the slowdown in the work of the House, whether or not we might now specifically consider, from the point of view of the members who will be speaking on the budget debate, scheduling the budget debate at a specific time, either tomorrow or on Monday, so that they know when they will be expected to speak?

Hon. Mr. Welch: Actually, Mr. Speaker, there is a timetable which the House leaders have discussed. Monday and Tuesday is, of course, filled now and a lot will depend on





how much progress we make tomorrow in legislation. It would look as if, now, we're looking to Wednesday, and it may be that we'll have to go over to Wednesday to provide for the budget debate time and the finish-up of legislation at that time. But I'll be glad to talk to my colleagues about that and report to the House on Monday.

**Mr. Renwick:** Mr. Speaker, again on the same point—and I know my colleague the member for Wentworth is here—my concern is there are three members, one from each of

the parties, expected to speak on the budget debate; I can't conceive, in any way, that we are going to deal with the legislation on the order paper and reach the budget debate tomorrow, so presumably we must make that adjustment.

Hon. Mr. Welch moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:33 p.m.



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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Friday, June 18, 1976

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, JUNE 18, 1976

The House met at 10 a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

## INDUSTRY, TRADE AND TOURISM REVIEW

Hon. Mr. Bennett: I'd like to take this opportunity to draw the attention of the hon. members of the House to a new publication they will find on their desks this morning.

It is my pleasure to present to the hon. members, the 1975 annual review of the Ontario Ministry of Industry and Tourism. They will find the annual review a comprehensive report of the activities of my ministry during the past year, with extensive coverage of the industry, trade, tourism and small business operations divisions.

As well, I'm pleased to report that the annual review contains an analysis of Ontario's economy. The outlook is that the remainder of this year appears to be at least moderately optimistic, with our growth rate predicted at between four and six per cent. It is also anticipated that balance of trade figures will improve during the current year, moving from the 1975 deficit position to a slight surplus.

I would like to ask the hon. members to peruse the annual review at their convenience, and I would certainly welcome their comments and views on the position of our ministry.

## MOTOR VEHICLE ACCIDENT CLAIMS FUND

Hon. Mr. Handleman: Mr. Speaker, I would like to take this opportunity to correct an impression which probably was left unintentionally by the hon. member for Hamilton West recently in his question concerning Dr. Marisa Zorsitto and the award from the Ontario motor vehicle accident claims fund.

The hon. member said the \$50,000 maximum award would hardly pay for the medi-

cal and rehabilitative expenses faced by Dr. Zorsitto. I have reviewed the case in depth and wish to report that the funds available to the doctor from her own insurance, from OHIP and from the motor vehicle accident claims fund total \$84,418, in addition to the amount she will be receiving for her party and party legal costs.

Her expenses to the date of the award have been estimated to be \$38,000 plus legal fees. This means that she can expect to receive in the neighbourhood of \$46,000 over and above the expenses incurred. There is some possibility that an additional amount paid out for rehabilitative services in the United States may be recoverable from OHIP. However, whether or not this will be the case will depend on the type of treatment obtained. The matter is now under review.

Mr. Speaker, I merely wished to set the record straight. I would be first to admit that \$46,000, or even \$50,000 is hardly a princely amount in a case such as this. On the other hand, is any amount of money adequate compensation for a lifetime of physical disability or suffering?

We are exploring at the present time all aspects of minimum insurance required and maximum payments from the motor vehicle accident claims fund. Unfortunately, this is not a simple equation where solutions are expeditiously available.

Without going into all the details again, I want to say that although we are not opposed in principle to compulsory insurance, this has not proven to be the panacea in jurisdictions which have attempted to find a solution in that direction only. Increasing fund payments and required contributions might only serve to motivate uninsured drivers to stop contributing to the fund rather than getting them off the road.

I hope to have recommendations to place before my colleagues in the near future so that when the Legislature resumes after the summer break we will be in a position to present a practical solution to the problem so vividly evident in the case of Dr. Zorsitto. But the answer is not going to be found readily.





Mr. Speaker: Oral questions:

### DUNDAS PUC INQUIRY

Mr. Deans: May I ask the Minister of Energy whether he is yet in a position to indicate the form and nature of the inquiry which he has proposed shall be undertaken into the PUC in Dundas, recognizing that the summer months are not the easiest time to conduct an inquiry and recognizing that there is a municipal election coming up in the fall of this year, which necessitates that the matter be both investigated and cleared up before the people involved have to run for office?

Hon. Mr. Timbrell: First of all, as far as an inquiry is concerned, there is an investigation under way at the present time by the Hamilton-Wentworth regional police department, as the hon. member is aware. Whether or not any charges are laid will be determined by the police and by the Crown attorney of the region.

I indicated to some local press representatives in the hon. member's area a few days ago that I would hope to give some indication by the middle of next week as to whether the government or the local council and local electors can take any action over and above what the police and the Crown attorney might take.

As for the question of an election, as the member will know, in February of last year I spoke in the House about the municipal utility restructuring. My understanding is that the restructuring committee for the region of Hamilton-Wentworth is under way. It is doubtful whether they will complete their work in time to put legislation through for the fall. When that committee does finish its work and makes its recommendations to Hydro, and they to the government, then we will bring in legislation as soon as possible thereafter.

I would remind the hon. member that one of the guidelines for utility restructuring is that the first commission would be appointed by the council and during the first term, council would decide whether thereafter subsequent commissions would be elected or appointed.

Mr. Deans: Just one supplementary question, as I want to be clear on what you are saying: If, in fact, the Hamilton-Wentworth police force is currently investigating for criminal charge purposes, the undertakings and goings on of the PUC, what then would

be the nature of any investigation that might be undertaken by the minister or undertaken at the behest of the ministry?

Hon. Mr. Timbrell: I haven't said there would be a concurrent investigation. I separated it into two areas. The first is any possible criminal actions. These are things perhaps in the area of fraud or whatever; that is being looked after by the police department. Then there is the question in the resolution from the council of the town of Dundas as conveyed to me by the clerk-treasurer of that municipality. There was concern expressed about the confidence in the public utility commission of that municipality and I am just as concerned as they are in that area. This is, as the member knows, a very unusual circumstance. There are very few precedents in the province over the last 70 years in which we have had municipal utilities. My concern then is with what the ministry or the municipality or both together can do to re-establish confidence in the commission.

Mr. Cunningham: Supplementary: Has the minister read the report and does he, as the Minister of Energy, think there is any impropriety there?

Hon. Mr. Timbrell: I have read the report and I think that question of impropriety is better left unanswered until the police have completed their investigation.

Mr. Deans: One final supplementary question on this: Since the minister has stated that any criminal matters are currently under investigation by the police force, what is it he is waiting for; what information is he seeking and from whom in order to determine whether any further investigation or further action is required? The minister says some time in the middle of next week. What is going to happen between today and next Wednesday? Whose advice is he seeking? Nobody understands why there hasn't been some clear-cut decision made as to whether or not there ought to be some public airing of the entire matter.

Hon. Mr. Timbrell: First of all, I indicated a month ago when this first came up as a public issue that I wanted to determine whether this was better looked after at the local level or at the provincial level. Because this problem is such a rare one, what I wanted to get and what I got at the first part of this week, was advice on the law as it pertains to this kind of situation. Between now and next week, I hope to meet with the mayor of the municipality. I had indicated





month ago before I made a decision that I would meet with the chief magistrate of that municipality and then would announce the government's position.

### HIGH LEVEL OF LAKE ONTARIO

**Mr. Deans:** I have a question for the Provincial Secretary for Resources Development since there is no one else I can ask the question of. Has he undertaken or will he undertake to meet and make representation to the International Joint Commission with regard to the unusually high levels of Lake Ontario—and Lake Erie too, for that matter, but particularly Lake Ontario at this time—given that over the past two or three years we have had unusual damage to the shoreline and to the properties on the shoreline because of the inability of the IJC to control the lake levels satisfactorily?

**Hon. Mr. Irvine:** I haven't had a meeting in this regard but would be happy to chair a meeting. I believe the responsibility should be undertaken by the Minister of Natural Resources (Mr. Bernier) but I would be happy to meet with the people along with my colleague.

**Mr. Deans:** May I ask whether this is a matter which falls within the policy area? Secondly, is the minister aware that the levels this year at this time are some 17 to 18 in. higher than the levels last year? Last year we had damage that caused severe loss and the Province of Ontario obviously wasn't in a position to act and failed to act sufficiently well to protect the people or to compensate them. Maybe it was another jurisdiction; I don't know. But it's important because in the fall we will be faced with serious problems unless the action is taken now.

[10:15]

**Hon. Mr. Irvine:** Mr. Speaker, I am aware that the water levels are higher in this particular area and also in other areas. We'd be quite happy, as I said before, to have a meeting to discuss what might be done.

**Mr. Bain:** Would the minister also determine whether or not the diversion of water that formerly flowed into Hudson and James Bays, into Lake Nipigon and, consequently, into the Great Lakes has had any bearing on the high water levels over the last few years?

**Hon. Mr. Irvine:** Mr. Speaker, I will endeavour to find out.

### RENT REVIEW PROGRAMME

**Mr. Deans:** One final question for the Minister of Consumer and Commercial Relations: Will the minister review the actions of the various chairmen who are conducting rent review hearings to determine whether they are sufficiently aware of the job they have undertaken; that they are allowing individuals who are objecting to rent increases or owners who are defending rent increases sufficient opportunity to present their views; and that the hearings are being conducted in such a way as to ensure that all the information can be brought out in an orderly way?

**Hon. Mr. Handleman:** Mr. Speaker, all the rent review officers have been thoroughly trained in the procedures they are to follow in conducting hearings. I understand there have been instances when tenants have sought to introduce irrelevant statements or time-wasting arguments and many cases when landlords have sought to bring in information at a very late date and have attempted to use that in the course of a hearing.

All the rent review officers are quite aware both of their powers and the procedures to follow, and I would certainly be prepared to investigate any case. The executive director of the rent review programme has just returned from a tour around the province to refresh further the memories of the rent review officers. Individual cases are being investigated when they're brought to my attention.

**Mr. Shore:** Supplementary: Could the minister advise the House as to what the executive director has found in his review across the province? Has there been some type of uniformity in what he's seen?

**Hon. Mr. Handleman:** Mr. Speaker, the executive director returned this morning. I'll be meeting with him shortly after the question period but I don't think he's in a position yet to report in detail on what he has found.

**Mr. Speaker:** The final supplementary.

**Mr. Shore:** Would the minister advise the House as to his findings once he's met with his executive director?

**Hon. Mr. Handleman:** As soon as I receive a report, I certainly will make it known to members of the House.

### OLYMPIC DUTIES OF OPP

**Mr. Breithaupt:** A question of the Solicitor General, following the statement yesterday





with respect to policing costs for the Olympic Games. Can the minister explain how the figure, of almost \$2 million now, was developed? Was there any agreement with COJO with respect to the sharing of these costs? What did the minister mean when he commenced yesterday, "We are going to try to get something from the Olympic committee but I'm not looking for much success"?

**Hon. Mr. MacBeth:** Mr. Speaker, the figure was developed by the Ontario Provincial Police, estimating overtime, the cost of housing the people in Kingston, the various costs of the vehicles involved—the motor boats, police cars and so on—transportation, housing, lodging and all that goes with it. The overtime, as I understand it, is for the entire force because the fact that some will be moved to Kingston means other people will have to put in extra hours, too.

I can't give any more of a breakdown than that. It is their estimate of what the Olympics will cost us. Some costs are entailed directly in service at the Olympic site and others by reason of the fact that some men have been moved to one place so those who are left will have to do overtime.

Some of that money is in our own budget; some is to be supplied by the Ministry of Culture and Recreation. I think the minister has indicated, although I'm not sure of this, that some of that money will be coming from Wintario funds.

The member asked whether we have any agreement with COJO. I've been trying to get something definite on that but it's evidently well back in antiquity and I haven't been able to locate anybody who has anything definite on it. My understanding, from talking to various people, is that the original understanding was that there were to be funds from COJO but I can't find any definite agreement to this effect. I don't know who would have made the agreement—

**Mr. MacDonald:** Better ask Drapeau.

**Hon. Mr. MacBeth:** —simply on the basis that the games were suddenly found to be in Ontario. I don't know whether anybody in the provincial government had any part in the negotiations for putting them in Kingston, but I will try to get further information on that. I have spoken to the Treasurer (Mr. McKeough), and I don't think he has a great deal of information either. I am trying to locate some agreement. In any event, as the members know, the COJO people operating out of Montreal are having financial difficulties. Although we would like to get something and still hope to get something, I think our chances are very slight.

**Mr. Breithaupt:** As a supplementary, I can understand that the provincial police would have made the necessary provisions to provide for overtime because of these particular requirements. But I am wondering if the minister really wants us to accept the view that with the Olympic Games only several weeks away there has been no opportunity to discuss these matters or to enter into any agreement either through his ministry or presumably through Culture and Recreation.

If Culture and Recreation are putting up \$1 million or so, are they doing this simply out of their own goodwill or is there any agreement that the minister knows of with COJO? Is this all just happening?

**Hon. Mr. MacBeth:** As I say, I don't know who determined that the site would be in Kingston for the sailing races. I do know it is a provincial responsibility to look after any policing in this province. So suddenly we have an event taking place in Kingston and the Ontario Provincial Police as well as the municipal police in Kingston have the responsibility to make sure that everything goes smoothly there.

Whenever any kind of event or crowd-gathering comes to Ontario, automatically the respective police forces have to move in. They are generally not consulted as to whether or not they can afford to do that policing, or how it is going to be financed. I think that is what happened here. But I agree we should have a more definite arrangement with COJO, or be able to find out just what that arrangement is. I am still trying to do that.

## COMPUTER USE IN SOCIAL SERVICES

**Mr. Breithaupt:** I have a question of the Minister of Community and Social Services with respect to computerized records. In view of the minister's statement Wednesday at the Canadian Council on Social Development luncheon that efficiency and productivity were to be a goal in the province's social service delivery system, and that computers would be used for record-keeping to assist in achieving that goal, can the minister give us details in the House of exactly what information will be kept in the computer, who will have access to that information and will the information include family histories of those persons who apply for assistance?

**Hon. Mr. Taylor:** Mr. Speaker, may I explain that at present there are about 20 municipalities that have self-contained computer systems to operate their general welfare assistance programmes. There have been some





problems in terms of applicants that may be applying in more than one area or in more than one municipality for assistance. That's a matter that has come up and we thought it would be better if the municipalities could integrate their computer systems so that the self-contained systems could talk to one another to get that integrated result. That's one system of computers.

The second is our own computer system that we operate through my ministry in the family benefits programme. I have been anxious to see a terminal in all of our district offices so that we can get instantaneous communication from the field to central office or head office, which is important in terms of rapid changes in persons' circumstances—there may be an increase in the number of dependants or a decrease or whatever it happens to be—so that we can effect more rapid processing and probably even more accurate processing.

We have those two computer systems, and the concept is to link the two systems—that is, to tie in the general welfare computer system with the family benefits computer system, which I think will provide efficiencies in many ways.

**Mr. Breithaupt:** Could the minister provide an answer with respect to the access of information and to the case histories?

**Hon. Mr. Taylor:** I am sorry. No one in this House is more conscious than I am of the need for confidentiality in terms of personal records, because I think we have to protect that confidentiality.

**Mr. Cassidy:** You mean information and intelligence. Is that right?

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** I hope the members opposite agree that these are personal records and that there shouldn't be public access to those records; we will ensure that confidentiality is preserved.

**Mr. Ferris:** Supplementary: Since a normal telecommunications terminal costs about \$40,000, can the minister tell us how many offices would have them and what the cost would be to install this network?

**Hon. Mr. Taylor:** We estimate that it will take about two years and we will keep within \$2 million in terms of the expenses. As a matter of fact, because of the streamlining of our process, I don't think we will be spending any more to effect these changes

than the sum of the individual costs at present, which is about \$2 million.

## MOTOR VEHICLE ACCIDENT CLAIMS FUND

**Mr. Breithaupt:** One final question to the Minister of Consumer and Commercial Relations with respect to the recent court awards and the difficulties with respect to the motor vehicle accident claims fund and its limits: Since it would appear that it is going to happen more and more often that awards are going to be granted far beyond the limits of the fund, even though the fund was never meant to cover these exceptional awards, will the minister be able to make any statement, before the House rises for the summer, with respect to changes in the limits of the fund or what policies the government might use to deal with these particular exceptional cases which are well beyond the traditional limits that the fund has met?

**Hon. Mr. Handleman:** Mr. Speaker, I didn't notice whether the hon. member was in his seat. I made a statement before question period today in which I pointed out that it would require legislative action to do anything. I am prepared to make some recommendations to the government to try to mitigate the problem, but I don't think a solution is ever going to be found to million-dollar judgements, either by raising the minimum amounts of insurance or the maximum amount under the fund. We're certainly prepared to do something, and that will be at some cost to both the public and to the consumers of insurance.

**Mr. Breithaupt:** Thank you. I will see the statement.

## SMOKE DETECTION DEVICES

**Mr. Moffatt:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Is the minister aware that products which depend upon the process of ionization for smoke detection are being imported from the United States for sale to consumers in their homes and that on these particular devices there is attached a sticker which indicates that before disposing of the item, the consumer is to contact the Atomic Energy Control Board for directions as to disposal?

**Hon. Mr. Handleman:** Mr. Speaker, I am aware of smoke detectors being sold in this province and importation, of course, is a





matter completely beyond the jurisdiction of this government and the Province of Ontario. Atomic Energy Control Board regulations do require that they be notified of any products which contain any kind of fissionable materials or materials that could cause some problems. I'm sure the sticker has been attached at the request of the Atomic Energy Control Board, but we have no control over the importation of those products in Ontario.

**Mr. Moffatt:** Supplementary: Has any ministry in the Province of Ontario done any testing at all as to the safety of that kind of material? My reason for asking the supplementary, Mr. Speaker, if I may explain it briefly, is that yesterday morning I got a call from a high school teacher in Bowmanville who had examined one of these devices with a Geiger counter and, within a range of 5 ft to 6 ft, found a reading of about five times normal background radiation levels emanating from this particular device.

0:30]

**Hon. Mr. Handleman:** Mr. Speaker, the hon. member is fully aware of the fact that the Hazardous Products Act is a federal statute and that control of radiation devices is a federal responsibility. I see no reason for the Province of Ontario to duplicate those initiatives.

## WORKMEN'S COMPENSATION ACT

**Mr. Haggerty:** Mr. Speaker, I would like to direct a question to the Minister of Labour. Can the minister indicate or give some direction to the Legislature as to any government policy on introducing amendments to the Workmen's Compensation Act to upgrade the injured worker's income? This has been government policy for the past two years. Will the minister be introducing any changes in the Act before the Legislature adjourns for summer recess?

**Hon. B. Stephenson:** Mr. Speaker, I have to say that I doubt it will be before the recess of the summer this year. The Workmen's Compensation Board this year has been really active as a result of the requirements for increased funding which became necessary following the changes in the legislation of last year—the changes in benefits.

There was a fairly major increase in the assessments to employers which caused some difficulties. The Compensation Board has been working with the employers and attempting to resolve their difficulties in order to ensure that there are sufficient funds to provide the

benefits for this year. When I reminded them not very long ago that we had not received their recommendations for this year regarding benefit levels—which I had asked them to look at—they informed me that they were examining them. The recommendations will be forthcoming within a few days.

I don't have those recommendations as yet and therefore it is very unlikely that we will be able to present anything before the summer recess; I would hope it would be shortly thereafter, however.

**Mr. Bounsall:** As any changes in rates and benefits paid to workers must come before this House through an Act to amend the Workmen's Compensation Act, if it cannot be presented before this particular session ends and must therefore wait until the fall, will those benefits be backdated to July 1, as we have clearly done in the last two years?

**Hon. B. Stephenson:** Mr. Speaker, I suppose that is a possibility. I am awaiting the recommendations of the board. Most certainly, however, I would have to remind the hon. member that simply because it has been the custom in the last couple of years to do a certain thing, that does not necessarily mean it has been the policy to do it.

We are attempting to develop the kind of programme which is going to be of greatest benefit to the workers. I would hope that shortly after the session resumes in the fall we will have the board's recommendations to present.

## CHIROPRACTIC SERVICES

**Mr. MacDonald:** A question of the Minister of Consumer and Commercial Relations: Since the Ontario Chiropractic Association was given assurance by one of the minister's predecessors—namely Mr. Winkler, and his deputy, Mr. Johnson—that the statute and/or the regulations would be changed so as to include chiropractic services in sickness and accident benefit claims, why is the minister now taking the stand that chiropractic services are excluded from health services claims unless they are specifically included in the agreement between the employer and the insurance company?

**Hon. Mr. Handleman:** Mr. Speaker, I don't believe I've taken that stand. What is said is that chiropractic services are included under the direction of a physician. I stand to be corrected but I have not taken the stand that chiropractic services are only included when





they are in the agreement between the employer and the employee.

**Mr. MacDonald:** A supplementary: Since chiropractic services are immediately available without having to go through the channel of their authorization by a physician under the Health Services Act, Workmen's Compensation Board, the Drugless Practitioners Act and the proposed Health Services Act, why is the minister persisting in the old, out-moded approach that chiropractic services must be subsidiary to and only under the direction of a medical practitioner?

**Hon. Mr. Handleman:** Mr. Speaker, because that is the way the statute is drawn and that is the way the contracts are drawn. We have always said to the chiropractors that I am quite prepared to look at possible revisions to that and I have not received any representation from them for at least a year on this matter.

**Mr. MacDonald:** A supplementary: The recommendations went to this minister's predecessor three years ago and he gave an explicit commitment. I'm back to my original question. Why is the minister now forsaking or repudiating the commitment of his predecessor three years ago? Why does he have to have representations again from the Chiropractic Association?

**Hon. Mr. Handleman:** Mr. Speaker, I met with the chiropractors at least a year ago to discuss this very point because there had been a commitment. We discussed it with them and to the best of my knowledge they are satisfied with the present conditions.

**Mr. MacDonald:** I know they are not.

**Hon. Mr. Handleman:** I have not received any renewed representations from them and I would certainly be prepared to receive them from them or from the hon. member.

#### COST OF OLYMPIC EVENTS IN ONTARIO

**Mr. Conway:** I have a question of the Treasurer. Given the recent interest expressed by certain members of this House with respect to the cost of the Olympic Games, I would ask the Treasurer if his ministry has undertaken any economic impact study to ascertain what the benefits of this summer enterprise would be to the Province of Ontario?

**Hon. Mr. McKeough:** I'm not aware that we have, but I believe the Ministry of In-

dustry and Tourism has run some projections. As a matter of fact, I think in the statement which I see on our desks this morning there is some mention of it. I just glanced at it quickly, but I believe they did some estimates of the value to the Ontario tourist industry of the Olympics in Montreal and Kingston.

#### WATER POLLUTION

**Mr. Godfrey:** I have a question of the Minister of the Environment. In view of the fact that there is now clear evidence that the Owen Sound dump is polluting the wells in the vicinity, what recommendations will he be making for redress to the constituents whose wells have been polluted?

**Hon. Mr. Kerr:** Is that Guelph or Owen Sound?

**Mr. Godfrey:** Owen Sound.

**Hon. Mr. Kerr:** First of all, we'd have to establish that somebody has been injured as a result of any contamination that may flow from the dump in Owen Sound. If there is pollution from that dump, it will either have to be corrected or the dump closed. However, if the damage can be measured, then compensation would be considered.

**Hon. Mr. Rhodes:** Is that the dump of the member for Grey-Bruce (Mr. Sargent)?

**Hon. B. Stephenson:** That's where he puts all his old Lincolns.

**Hon. Mr. Kerr:** I'm not aware of any specific contamination or specific claim for any of the residents. I haven't heard from the hon. member for that area.

**Mr. Godfrey:** Supplementary: In view of the fact that the minister's report recommends that they terminate the use of the present dump, surely this is *prima facie* evidence of pollution? I repeat my question: What recommendations will he make for redress to the people whose wells have been contaminated?

**Hon. Mr. Kerr:** If the dump is contaminating, the dump will be closed. That is the recommendation to which the hon. member is referring. However, if people's wells have been contaminated and there has been damage as the result of that, there will have to be some consideration for compensation. That has to be measured. A claim has to be made and a claim has to be established. In the meantime, certainly, if the wells are contaminated, as I say, the dump will have to





be closed and a new site established. It may be that the city, which operates that facility, may have to compensate some of its own residents.

### ZONING APPLICATIONS IN HALDIMAND-NORFOLK

**Mr. G. I. Miller:** I have a question of the Minister of Housing. In view of the fact that regional government was formed in Haldimand-Norfolk in 1974; in view of the fact that the regional council was appointed the planning board for the region, and in view of the fact they have given a lot of consideration as far as planning is concerned, why does it take so long to get an answer from the ministry in this respect?

**Hon. Mr. Rhodes:** I don't understand the question at all.

**Mr. Riddell:** Was the minister listening?

**Hon. Mr. Rhodes:** I certainly was attempting to listen and to decipher it, but can the member be a little more specific? I don't understand it.

**Mr. G. I. Miller:** I've had many applications come in and it's very frustrating for the people in my riding that they can't get an answer within a period of several weeks. Under the regional system surely it could be speeded up? Why don't they get an answer?

**Hon. Mr. Rhodes:** An answer to what?

**Mr. Sargent:** Bureaucracy.

**Mr. Speaker:** Perhaps the hon. member might communicate again to the minister.

**Hon. Mr. Rhodes:** I'm not trying to be difficult. I just don't understand what he wants me to answer.

**An hon. member:** How did the minister get elected?

**Mr. Eaton:** What is the member asking?

**Mr. Speaker:** Does the hon. member have a specific question of information?

**Mr. G. I. Miller:** In regard to zoning applications.

**Hon. Mr. Rhodes:** That's the first time he said that. In zoning applications, many of the delays that are created are created by the municipality itself. The responses and applications for zoning bylaws that go to the ministry are circulated to the various agencies with a maximum of 60 days in on them. They have to be circulated

to the various agencies of this government and the municipalities. I don't know where the specific delays that the member is talking about are lying. Many times they lie right with the regional people themselves and sometimes with the local municipality.

**Mr. Singer:** Supplementary: Could the minister tell me what mechanism exists to bring slow-reacting government agencies to bear on this 90-day limit? In my experience someone can take 90 days plus 90 days plus 90 days, and the officials in your department just throw up their hands and say, "What can we do?" What can they do?

**Hon. Mr. Rhodes:** Mr. Speaker, the hon. member's experience must go back some time, because I believe that particular situation has been corrected. We do now get responses from the agencies of this government and the understanding is—and it is being adhered to—if a response is not back from an agency of this government within the 60-day period then we go ahead without its comments. We do not wait for them.

**Mr. Singer:** You chop off their heads.

**Hon. Mr. Rhodes:** We don't chop off anybody's head. We just don't pay any attention to the fact that they haven't responded.

### FEDERAL-PROVINCIAL FISCAL AGREEMENTS

**Ms. Bryden:** I have a question of the provincial Treasurer. With regard to the federal-provincial financial discussions this week, is the Premier (Mr. Davis) or the Treasurer planning to make a statement in the House on these closed-door meetings to inform us of what went on?

Secondly, I notice he suggested he might have to raise the income tax if the federal revenue guarantee payment is discontinued, resulting in substantial loss of revenue to the province. Has he considered instead raising the corporations tax and the mining profits tax?

**Hon. Mr. McKeough:** Mr. Speaker, I thought I had made a rather full statement of our observations on Wednesday afternoon, that was objected to rather strenuously by the member for Riverdale (Mr. Renwick). Perhaps if the member would consult Hansard she would find out just what we thought about the conference.

**Mr. Sargent:** Be ladylike, Darcy.

**Ms. Bryden:** Supplementary: The minister did not reply to my second question as to





whether he was considering increasing the corporations tax and the mining profits tax to make up the loss from the revenue guarantee payments?

**Hon. Mr. McKeough:** No, Mr. Speaker, I wouldn't. The loss in the revenue guarantee is in small part corporations tax but the main part of it, most of it, is personal income tax—that is income which we would have received under the old system which we are not receiving under the new system since tax reform.

I think the simplest way of putting it is, the figure was struck that we would receive 30.5 per cent and that figure is wrong. To receive the same amount of revenue that we received prior to the new system, as it turns out, that figure should be 32 or 33 or 34. The difference has been made up by the revenue guarantee. If the revenue guarantee is to be dropped, then it should presumably be replaced with the old system, which would be personal income tax.

#### FARM INCOME STABILIZATION PLAN

**Mr. Riddell:** A question of the Minister of Agriculture and Food: It is my understanding that the Premier made a statement this morning over Broadcast News that he was prepared to give in to opposition demands on the farm income stabilization plan. If the minister is aware of this, what is the nature of the agreement and how far is he prepared to go in order to meet our demands?

**Hon. W. Newman:** Mr. Speaker, I am not aware of any broadcast the Premier made this morning. I am aware of the statement he made in the House yesterday that we would look at the overall situation as far as the farm income stabilization bill is concerned and report back. I am well aware of the amendment that was passed in this House the other night and certainly I am quite prepared to talk to the Premier about what was said this morning, but I did not hear the broadcast.

#### FIREFIGHTING SERVICES

**Mr. Wildman:** I have a question of the Solicitor General. In view of the fact that the small community of Oba in Algoma has no electricity other than that produced by generators and that it has suffered five fires caused by generators over the last 1½ years, is there any possibility of obtaining aid from the

ministry for firefighting equipment for a volunteer fire department in the community?

[10:45]

**Hon. Mr. MacBeth:** Mr. Speaker, as the hon. member for Algoma probably knows, we do have a pilot project in operation in some of the unorganized townships of northern Ontario. It's just got nicely under way. We have one truck at Jellicoe, one at Nestor Falls—I've forgotten where the other one is now—anyway, there are three operations. We're keeping a close eye on them and if they prove successful we may be able to enlarge the system. I can't give any date when that may happen but, as I say, if they are successful we may be able to do something in six or eight months' time.

#### AIR TRAFFIC CONTROL DISPUTE

**Mr. Sargent:** Mr. Speaker, a question to someone who will be a spokesman for that motley crew over there—

**Mr. McNeil:** Question.

**Hon. Mr. Rhodes:** Are you polluting the Owen Sound dump?

**Hon. Mr. Kerr:** He owns it.

**Mr. Sargent:** I guess it would be to the Minister of Transportation and Communications, the Air Commodore of the Ontario government air services. Maybe he could answer this.

In view of the pending air strike, doesn't the government agree it's time we took a stand to register the strongest possible objections to the federal government's insistence that French be used in addition to English in air traffic control? Would the government agree, on behalf of the people of this province, that we are concerned that this strike will paralyze business, and the danger that the bilingual nonsense we're talking about now, as outlined in this morning's Star—there's also a story in the Sun by Bob MacDonald here—is going to jeopardize many lives? Doesn't the minister agree that it's time we made a stand on behalf of millions of English-speaking people here who have rights, too?

**Mr. Lewis:** Where is the applause?

**Hon. Mr. Snow:** Mr. Speaker, I'm very pleased to have the opportunity to reply to the motley member. I would like to tell him that I have made the strongest possible representations to my federal counterpart, the



Hon. Otto Lang, regarding the matter of bilingual air traffic controllers.

Mr. Conway: We can imagine.

Hon. Mr. Snow: As I'm sure the hon. member knows, I have some experience in that area and at a meeting with Mr. Lang two or three months ago I made a personal presentation to him as I was very concerned as to the matter of safety in air traffic control. I think this is a matter of safety. It's not a matter of bilingualism at all and it should not be a political matter.

I'm well aware of the strong stand taken by, I believe, almost everyone connected with the aviation industry—the Canadian Airline Pilots' Association, the Controllers' Association, the Canadian Owners' and Pilots' Association. All the recommendations of those people have been made and are all in favour of English as the international language for aviation, which is almost world-wide.

So I don't really know—even though the proposed bilingual air traffic control is not proposed to be within the Province of Ontario, certainly at this time, I am concerned from a safety point of view for aviation in general in Canada. I've personally made my views known very strongly to Mr. Lang and in a speech I made to the Canadian Owners' and Pilots' Association as well when I attended their convention in Jasper a few weeks ago.

Mr. Sargent: A supplementary: With regard to the next 24 hours being important, could the minister back his statement up by supporting the federal government with a court order to block the strike?

Hon. B. Stephenson: A what?

Hon. Mr. Snow: No, Mr. Speaker, I don't think I'll take that action. The matter of the pending strike is one totally between federal government employees and their employer. I don't think I have any reason to try to interfere in that particular matter. If there's a court order required by anybody, I believe it's the federal government that should be bringing it—not that I would necessarily agree with it.

## MILK PRODUCTION

Mr. Johnson: Mr. Speaker, I have a question of the Minister of Agriculture: What is the minister doing to alleviate the problems faced by the milk producers in Ontario?

Mr. Shore: Drinking it.

Mr. Johnson: Some of my rural constituents, the milk producers, have received cheques this month which are only half the previous month's cheques.

Mr. Riddell: Weren't you in estimates yesterday?

Mr. Johnson: Could he give us an answer?

Mr. Conway: Resign.

Mr. Speaker: Order, please.

Hon. W. Newman: This is a very serious problem. Several thousand producers in this province have been affected by the national dairy programme in Canada. It goes back prior to the announcement of the new dairy policy, I believe, some time early in April, when I made certain representations regarding problems that were coming. There was an 18 per cent cut across Canada and a monthly allocation of percentage of quota which has made it almost impossible for some of our producers in this province to live with.

I am very much concerned about it. I am meeting this afternoon with the full Ontario Milk Commission and the full Ontario Milk Marketing Board. I am trying to arrange a meeting with Mr. Whelan tomorrow. He is on his way back from Rome, I understand. I was trying to reach his office this morning.

Mr. Ruston: Tell him you are looking into it.

Hon. W. Newman: I am very much concerned about the cheques that have been received by our dairy farmers in this province. We must get together with Ottawa immediately to do something about it. We are looking at various alternatives ourselves within our own ministry.

I would just like to point out that we must have some flexibility on the cutback and we must have some flexibility on the market share quota or many of our dairy producers will be bankrupt in a very short period of time.

Mr. Bain: Supplementary: I listened very intently to the minister. What specifically will the provincial government do to alleviate this problem? Will it buy surpluses and distribute the milk in the schools to the children, or will it buy some of the surplus and distribute it to underdeveloped countries? What will this government do? Never mind the federal government.

Hon. W. Newman: Obviously, the member doesn't understand. There is a national allocation of the market share quota.





Mr. Bain: I know that. What is the government going to do?

Hon. W. Newman: He doesn't even know what the national allocation is. It is 95 million cwt for all of Canada. We have asked for a market share quota sleeve. If we can get the sleeve we can solve some of the problem.

As members know, the Ontario Milk Marketing Board has already done something. They have said they will pay more for a market share quota to try to get more quota in. It is not coming in as it should at this point in time.

That is why I am sitting down with them this afternoon from a provincial point of view to see what we can do. I have already announced to the House what I have done from a provincial point of view and I am prepared to do more, but I need some co-operation from the other end in Ottawa too, because of the same situation.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Mr. McNeil from the standing resources development committee reported the following resolution:

Resolved: That supply in the following amounts and to defray the expenses of the Ministry of Agriculture and Food be granted to Her Majesty for the fiscal year ending March 31, 1977:

Ministry of Agriculture and Food	
Ministry administration programme .....	\$ 3,836,000
Agricultural production programme .....	101,742,400
Rural development programme .....	14,892,000
Agricultural marketing programme .....	9,483,000
Agricultural education and research programme .....	21,620,000

Hon. Mr. Handleman presented the 11th annual report of the Pension Commission of Ontario for the 15-month period ending March 31, 1975.

## REPORT OF HYDRO COMMITTEE

Mr. MacDonald presented the final report of the select committee of the Legislature investigating Ontario Hydro.

Mr. MacDonald: Mr. Speaker, just a word of explanation with regard to procedures. There has just been a meeting of the House leaders and I think it is agreed that we will have brief comments, first from myself and then subsequently from any member who so wishes—hopefully limited to five minutes—by way of comment on its tabling, and then place it on the order paper for a full debate at some later point.

[Hon. members will recall that an interim report of this select committee was tabled last December and at that time it was pointed out that while its purpose then was to focus on the 1976 rates, the main determinant in the rates for 1976 and all subsequent years was the system expansion programme of Ontario Hydro. Therefore, the committee requested reappointment so that it could examine this expansion system and make further recommendations. This report contains those recommendations.

I would emphasize at the outset, for the information of the House, that it is a unanimous report signed by all members of all parties sitting on that committee.

The name of the report, as hon. members will note, is "A New Public Policy Direction for Ontario Hydro." That is really quite significant, and I would like to try to outline briefly its significance.

The cost of hydro in recent years has skyrocketed almost unbelievably. Hydro has shifted from a low cost base, relying on hydraulic power and low-cost coal, to mainly a thermal generation, including high-cost fossil fuels. In addition, as all members are aware, we have been going through a period of inflation and high interest rates. A combination of all those factors has meant that whereas Hydro throughout the 1950s and 1960s could drift along with the same rates, and indeed on some occasions even dropping the rates, what we are now experiencing is an annual increase in rates that is obviously quite worrisome to everybody, including Hydro, I am sure.

The second important factor is that the Treasurer has found it necessary to intervene and to change the rules of the game for Hydro very significantly. Last July, hon. members will recall that the Treasurer instructed Hydro to cut \$1 billion out of its expansion programme and to try to cut its operational expenses by about 10 per cent, or about \$40 million or \$50 million. In addition, because of the continuing restraints and capital squeeze situation, the Treasurer moved further this spring and instructed Hydro to cut \$5 billion out of its expansion programme and further





placed a ceiling of \$1.5 billion for each of the next three years on the capital it could go to the market for.

The result of that is almost impossible for a layman to grasp at first blush. Hydro has traditionally operated on the basis of estimating what was going to be the requirements for electricity in the province—the load forecast—with anybody getting whatever he wanted or whatever he asked for.

Then they turned to their engineers and said, "This is going to be the load requirement in the years ahead. What are the generating needs in terms of building new plants and what should be the appropriate generating mix?" Having decided that, they then borrowed the money. There was no particular problem; it was a manageable problem.

Two years ago the total borrowings of Ontario Hydro were about \$500 million, \$600 million or \$700 million a year. Last year they were in the range of \$1.5 billion. This year Hydro's first request for needs was in excess of \$2 billion. If we look at one table in this report, we will find that Hydro's requirements three or four years from now will be in excess of \$4 billion a year and, beyond that, in excess of \$5 billion. We have got a real problem in terms of how to get the capital to be able to meet Hydro's needs.

The result of that fact is that Hydro's process has almost been reversed. Instead of saying, "What is the electric load going to be?" then building to meet that load and borrowing the capital without any problem, now we have to reverse the process and say, "What is the capital available?" and having decided on what capital is available, we build the best possible generating capacity to meet it and do our best to meet the load. That requires implementation of conservation measures; it may require that we can't give everybody all the power he wants at any time he wants it. Hon. members will see, without me going into any more detail, that it really changes the situation.

I want to refer particularly to two issues which have got into the public discussion rather significantly in recent weeks. The first one is in regard to rates. Last week there was quite a flurry when it was noted in the committee's discussion of the final draft of the report, that Hydro's rates next year might likely result in a 34 per cent rate increase. May I emphasize that this is not the committee's recommendation; this is not the committee's view.

[11:00]

The background is briefly this: Last fall, when Ontario Hydro first came to the committee, they pointed out that in addition to the 29 per cent they were seeking for 1976, this year—which was reduced to 25 and then, on the recommendation of the committee, to 22—next year Hydro would require a rate increase, they estimated, at 25 per cent and the year after, 19 per cent.

But Hydro have run into financial difficulties; the balance sheet is not favourable; the costs are continuing to rise. The sale of electricity is going down because the economy is not absorbing as much as it used to. Furthermore, export sales of secondary power are not as high as they used to be.

Therefore, Hydro's balance sheet is not favourable and the latest estimate the committee was able to make was that on the basis of those costs Ontario Hydro's rate increase next year might well be in the range of 34 per cent; the year after that in the range of 14 per cent; and beyond that it would drop down to under 10 and even to under five—when we get on to 1983, 1984, 1985; an under five per cent increase each year.

Whatever is going to be the fact rather than the speculation for this coming year we will know rather shortly, because the statutory obligation on Hydro is to announce what rate they feel they will need for next year. I believe now the date is July 1. At that point that request of Hydro to the minister will be passed to the Ontario Energy Board and we will have the traditional annual rate hearing later this year.

Mr. Peterson: And another select committee.

Mr. MacDonald: We will come to that in a moment. The second point I want to make is with regard to the worry that is emerging on Hydro's part and on the part of many sectors of the public that what is happening now in Hydro and what is happening with the recommendations of the select committee mean we might face a power shortage somewhere down the road. That obviously is a worrisome factor.

May I emphasize this point very heavily? The committee operated throughout all its hearings and its deliberations, particularly in terms of its final report, on a complete acceptance of Hydro's traditional high reliability standards. Namely, that Hydro would attempt or would operate on the basis of forecasting or expecting not more than one outage—that's one failure in power—in 10 years. Everybody concedes that that's a very





high reliability standard and we haven't departed from that.

I want members to bear that in mind as I now proceed and perhaps draw their attention, if they want to look at it, to charts because it's more intelligible, to exhibit III-33. There are four tables there which put this whole situation of what this committee did and what it recommends in a very succinct way.

Table No. 1 noted that when the load forecast was changed in recent months to indicate that in the year 1977 or down through years our requirements will be somewhat lighter than we originally thought, it still meant that we were going to be below the level of reserve required for safety. However, what the committee has done is to examine what impact conservation might have to bridge the gap between the generating capacity and the prospective load capacity.

Hydro have accepted and are pursuing a conservation programme but they haven't really come up with specifics nor did they come up with any estimate as to how much electricity saving that might represent. The committee had the obligation to grapple with that and they did grapple with that. That bridges some of the gap, as members will see in graph 2 in exhibit III-33.

We move to the next thing and that is load management targets. Without getting into detail, the committee felt very strongly that there are many things which can be done by Hydro in the load management area which would result in a saving and would bridge that gap once again.

For example, Hydro have operated for years on a reserve which, this year, is over 30 per cent; indeed it was as high as 38 per cent. That simply means that Hydro has a capacity to produce power 38 per cent in reserve in excess of what it needs for the peak hour of the year. There are many people, including, I think, most people on the committee and, indeed, the Ontario Energy Board, who feel that is really excessive.

Why Hydro has to have 38 per cent in excess of the peak requirement—which used to be in the week before Christmas and now tends to be at varying periods throughout the winter months, depending on weather conditions—why it should have to have that level of reserve capacity is highly questionable. Indeed, the Ontario Energy Board suggested that the reserve should be phased down to no more than 22 per cent. That's one thing.

Through load management there are ways in which we can shave the peak, we can

avoid the use of power at that hour or that period of the day or that period of the year when there is such a requirement of electricity. If we can shave the peak we shave the necessity of having a portion, or conceivably a whole generating plant to be able to meet that brief period of time for that high level of electricity.

Therefore, we reduce the whole size of the system, and when we save a generating plant today, we may be saving a cool \$1 billion; approximately the cost, for example, of a new unit in one of our nuclear plants. So the load management targets, if they are lived up to, will again bridge the gap and get above the zero line that we note in graph No. 3.

Finally, as I think most people are aware, Ontario Hydro is integrated into a grid with our neighbouring states in the United States and our neighbouring provinces. Indeed, it's really a North American grid. Hydro, by way of its very cautious keeping a lot of reserve so that it will never get caught, has never put an estimate on the value of that grid. The committee feels rather strongly that if we have all these interconnections, which give us the capacity to get electricity if we face an emergency situation, then we shouldn't ignore them and, therefore, that we might reduce the size of our system to some extent, and we put a value on that.

All of those values—the conservation, the load management and the interconnections—in our view, makes it possible to maintain the high reliability standards of Hydro and yet not have as big a system. That, of course, is where we get into an issue that is quite controversial. The committee, in one of the earlier drafts of its report, went so far as to suggest that not only could Hydro, by doing these three or four things, meet the capital restrictions that are being put on it by the Treasurer, but indeed we could go one step further and we could eliminate another generating plant.

In our final report, we don't specify any given generating plant. We've illustrated how that gap between the load down the road a bit in the 1980s and our generating capacity can be met, but we don't specifically name a plant because we feel that's a decision that has many ramifications and would be better left to Hydro. But having gone that far, we at least indicate that the system can be reduced.

It can be reduced and should be reduced, because for all of these reasons Ontario Hydro is a system which is beyond our capacity to pay for; we can't afford it. Indeed, I think the Treasurer put it another way—even





if we could afford it we can't get the capital to expand it in the fashion that we have tended to in the past.

Finally, I just want to draw the attention of the House to the recommendations, because in the view of the committee that is extremely important. Members will find it on III-50. It is the major recommendation with regard to our report. I'll just read it:

(i) The Ontario government accept the thrust of the committee's report as government policy and instruct Hydro to begin immediately to implement the committee's recommendations. (ii) The Ministry of Energy co-ordinate the government policy and monitor Hydro's implementation on an ongoing basis. (iii) The Ontario government appoint [and the House leader on the government side acknowledged this during the confidence debate a couple of days ago] a select committee of the Legislature to whom Hydro will report on a periodic basis on its new system expansion plan and its implementation of the committee's recommendations commencing in the spring of 1977.

In other words, we feel this new direction in public policy and the recommendations which have been made are so important—we have no illusions that it will not be difficult for a big institution like Hydro to do some of these rather radically different things which have been imposed by the Treasurer and suggested by us—that we should have periodic reports, shall we say, every three or four months and that a committee, an ongoing select committee, would meet periodically to take those reports and to examine them in terms of the extent to which they are living up to the recommendations of this committee.

In other words, if ever there was a committee report which, in our view, the government, the Legislature and the people of this province simply cannot afford to put on the shelf and let gather dust, this is that report, I suggest to you, Mr. Speaker.

The second recommendation I wanted to draw attention to—it is found on the previous page—is that the Ontario government appoint a select committee as the appropriate public forum to examine Hydro's nuclear commitment. I don't want to go into great detail here but I remind members once again that this is the unanimous report from all members of the committee. We noted the fact that there has never really been a public discussion of Ontario's nuclear commitment yet it is becoming, to use the usual phraseology, the cornerstone of our system.

In addition, as we are all aware, there is a growing public concern with regard to safety in relation to the nuclear commitment and nuclear plants. I personally believe that that concern isn't as justified here as it is in the United States but there has been no opportunity to seek witnesses and to assess expert testimony with regard to this issue. We think it is important enough that the government should have a select committee to deal with this and this alone, to resolve some of these concerns in the mind of the public because the whole nuclear commitment is obviously extremely important as far as power production in this province is concerned.

There are two or three brief housekeeping items, Mr. Speaker. Members of the House will be interested to know, particularly our francophone members, that we're hoping to have a French translation of the report because there is intense interest in this in eastern and northern Ontario and, indeed, outside the province.

Secondly, I want to acknowledge once again not only my thanks to members of the committee but to members of the staff—Alan Schwartz, who was our counsel; Jim Fisher, who was our consultant; and Andy Richardson, who was the secretary of the committee. The committee really had a monstrous job in trying to analyse an institution the size of Hydro and if it weren't for the dedication and the work of this staff, the committee, with all the members' continuing obligations since many of our meetings were held while the Legislature was sitting, simply could not have done its work.

On a personal note, I will say that I have shared in select committee work on quite a number of occasions throughout the last 20 years in this Legislature but I have never been on a committee which was as pleasurable and as rewarding in terms of grappling with an intensely important issue and, I think, grappling with it in a realistic way.

Mr. Peterson: Mr. Speaker, I gather we're going to debate this at another time but I would like to make a few preliminary comments and say at the outset that I have had an opportunity prior to today to read this report and I am totally impressed. I must say I don't know of a finer document to come from a committee of this House. I can't say that I have great experience by which to judge but I want to put on the record my very sincere compliments to the chairman and to the various members of the committee.

I have a strong personal interest in this because I was on the committee last fall for part of the time. I think the final report they





have come up with is absolutely excellent and I think it will serve as a model for a lot of other jurisdictions. It really is a reflection of the changing times we're living in and I think it is a very worthwhile document for the government and for Ontario Hydro because a lot of these issues had never been addressed by a public group or by a legislative group. I think it is long overdue.

[11:15]

In many respects, they substantially violated the original terms of reference. The original terms of reference, as you will recall, Mr. Speaker, were to investigate a proposed 25 per cent rate increase last fall and because it was such a political thing the government determined to put this to a select committee—an all-party committee—to investigate. I think the committee took on itself, very rightly and very wisely, much broader terms of reference and really has turned a rate hearing into a new public policy direction for Ontario Hydro.

I don't want to comment on the legalities of it because they don't matter to me. The point is I think it had to be done. It is an extraordinarily worthwhile document and I would commend it to every person who is serious about one of the very major problems which face this jurisdiction. It is excellent reading; it is well researched and it comes to a lot of very substantial conclusions.

To follow up on what the committee chairman was saying, I think they have seen that the terms of reference of Hydro have changed quite substantially. Heretofore basically, the terms of reference of Hydro were to supply power at cost whatever the demand was. Now we realize that for various reasons, a substantial number of them beyond the control of anyone in this jurisdiction, those terms of reference have to change. The terms of reference now are that they are going to have to influence the demand. Hydro have a very important role to play in that which they can do by load management, by rate structure and all the various apparatuses they can bring to bear to influence the demand for hydro.

The other very important premise they have had to face is that there is a certain limit to what we can afford today. It would be wonderful to have everything cheap but the world has changed and we are going to have to adjust to it. I think the committee quite rightly and quite well grasped that new tenor.

I think the interesting thing is that, as I count them, there are about 40 recommenda-

tions; 20 of them relate to the Ontario government, not to Hydro. Twenty of them are setting new directions for the Ministry of Energy which, I submit, is probably the weakest ministry in the government today. They say it is time the ministry got off its behind and it is time the ministry set some direction for the whole energy policy of this province.

It is not blaming Hydro because Hydro has limited jurisdiction. It is really blaming the Ontario government. Twenty out of the 40 recommendations are telling the government "You had better take some action and you had better take it fast."

I am going to sound a trifle smug here but I say with some sense of satisfaction that I can go back and read Hansard of last Dec. 18 or so, when the interim report was filed. My colleague from Sarnia and I talked about several things such as the direction it had to go and were scoffed at by the member for Scarborough something when we said we needed more political direction and more political input because Hydro didn't have the jurisdiction. We talked about those kinds of things and now six or four months later we find the committee has come back with those kinds of recommendations. I must say that to me it is a great source of satisfaction that this committee did it. Again, I say it is very well done.

The very interesting point is that recommendation III-29 says, of this all-party committee, "We have to have an ongoing committee to monitor this and make sure the government is doing it". I don't want to sound cynical but I am saying that this committee, in effect, is saying it doesn't trust the government or the Ministry of Energy to do it on their own. That is what it is saying.

Frankly, I agree with them because I don't trust them either. It is too serious a matter to leave to the Ministry of Energy because it has shown us no direction to date. That's why I fully support this recommendation; I support the whole report.

Again let me say of this report, I think it is extraordinarily well done; my very sincere congratulations to all members. In all 40 recommendations, it has developed a new strategy which, as serious people who live in this province, we all have to be concerned with.

Mr. Grossman: Mr. Speaker, I also want to speak to this matter very briefly. First, also briefly, unfortunately, I want to compliment the chairman for his excellent conduct of the





hearings and the dedication he showed to the entire job at hand.

Mr. Lewis: A quite brilliant performance.

Mr. Grossman: Indeed a great performance. I doubt in all my years to come in this Legislature I will ever serve on a committee with such guidance, control, fairness and dedication by a chairman of a committee.

Mr. Lewis: And that's going right on the front of the next leaflet too, I want you to know.

Mr. Grossman: I wouldn't doubt it. It always turns up there.

Mr. MacDonald: Cheer up. The Tories know they have no chance in York South.

Mr. Lewis: It doesn't really matter.

Mr. Grossman: Likewise, all the members of the committee and the staff. I won't take the time to read that into the record because we did it in the fall and the chairman has repeated our gratitude to the staff already this morning.

May I comment very briefly that there are a lot of matters that we dealt with. We did, after all—most of us anyway—go in as neophytes in this very difficult field but that didn't stop some members from commenting in more depth than perhaps they should have recently as a few moments ago. Nonetheless, we did go in as neophytes and the staff gave us enough guidance. We worked hard enough at the job and sat often enough and heard from excellent enough witnesses so that we were able to come up with a rather complete set of recommendations.

I don't think very many members of the committee purport that these recommendations be incontrovertible forever or that they be necessarily each one of them definitive. Many of them are. Many of them say there's not to be a new direction and we are convinced that there must be a new direction. The implementation of that direction really has been dealt with in very many of the recommendations. But I think at very many stages it was acknowledged by the members of the committee that it was conceivable, for example, that some of the conservation targets we would like to see met perhaps may run into some difficulty. We don't think so at the moment.

Likewise, the whole issue of interconnections. We flirted with the idea of putting a pure on the interconnection value but in the end result we decided not to, for the very

good reason that it itself could be the subject matter of very many days of discussion and hearings. Likewise, the issue which relates to getting maximum value from the James Bay watershed, which is overwrought with inter-governmental dealings, financing and so on. But we have clearly said in recommendation III-27:

The Ontario government accept responsibility now for taking all necessary actions to ensure that Ontario receive the maximum reasonable benefits from the hydro-electric potential of the James Bay watershed.

This is not to say, as some would like to believe, that the Ontario government has not necessarily taken all the necessary responsibility or appropriate responsibility. Rather, we are emphasizing the need to tap that to its full economic and reasonable potential and to do so rather imminently.

I wanted to say to this House this morning that these recommendations—as complete as we think they are and as much as we do believe in them, and we do—are unanimous, without exception. I do believe in all of the recommendations. In fact, the report says to Hydro and it says to the Ministry of Energy: "Speak to some of these recommendations. If you think our belief in the capacity of the province to live with a lower rate of growth or demand is wrong, go ahead and speak to it. There will be a select committee in business next year. Come back and tell us. Tell that select committee why our recommendations need some further analysis." Perhaps it does.

I must say conclusively that from what we heard from the witnesses we listened to and all our study, we believe in these recommendations. But I think the committee also is inviting both Hydro and the Ministry of Energy to speak to these recommendations at the future appearances in front of the monitoring committee or at any other proper forum.

I would be remiss if I did not refer to recommendation III-28 which refers to the need for a select committee to examine Hydro's nuclear commitments. It is badly needed. Again this is an area overwrought with study after study. I don't think I want to rely upon what Westinghouse in the United States told us yesterday. I think that wants something rather more impartial, rather more in depth than I read in the *Globe and Mail* this morning. In any event, I did want to note the very important need for that study, as the chairman of the committee did a few moments ago.





Finally, I would like to remind the previous speaker, the member for London Centre, who is gone, that if he reads recommendation 12-29, he would see that the monitoring committee deals very directly with the initiatives, not only to be taken by the Ministry of Energy, but basically those to be taken by Hydro. The words "instruct Hydro" and "monitor Hydro" appear in subparagraphs (i) and (ii) of that recommendation. Subparagraph (i) reads: "The Ontario government appoint a select committee of the Legislature to whom Hydro will report on a periodic basis . . ."

There is no question but that we are suggesting that the Ministry of Energy look at new directions and encourage Hydro to follow new directions. But I think it would be fair to the ministry to suggest that this committee found it had been entirely neglected or inadequate in following the plans and directives that were laid out for it when the ministry was created. After all, the situation in energy has changed dramatically over the last 18 or 24 months, and it would be foolish to say that the Ministry of Energy ought immediately to have been dismantled or reamped or that it should have gone into this tire area with both feet the following morning. It should not have done so, it did not.

All this committee is saying is that now is the time to have a look at the ministry, its objectives and its relationship with Ontario Hydro. I think it is somewhat unfair for the member for London Centre—at least, let me say I think it's unfair; it's not my opinion—that these recommendations should be taken as a criticism of the past; rather, they are a direction for the future and recommendations for reassessment of the relationships between the government, the Ministry of Energy as a part of the government, Ontario Hydro and, I suppose, the select committee which is to continue, on a monitoring basis, to follow up on Hydro's reactions to whatever directives flow out of this report and the Ministry of Energy.

May I finally add that Ontario Hydro did exemplify a lot of co-operation; they were very co-operative with the committee and were of great assistance to the committee. In response to them, they accepted rather continued criticism, in most cases justified by the committee, and did so in the spirit in which it was offered, in an honest attempt to reassess the whole way it's been operating all these many years, without necessarily saying that it has failed to provide us with probably the finest hydro-electric system in the world, which it remains.

**Ms. Gigantes:** Mr. Speaker, I will be very brief in my comments, and I am looking forward to the chance to debate this report in the fall. I have to agree with the previous speakers and say that the work we did in this select committee on Hydro and the 1976 rates has been one of the most satisfying pieces of work that I have ever had an opportunity to share in.

I think the report is a worthy report. It comes at a time in the history of Ontario, and in the history of one of Ontario's most important institutions, that is critical to the development of this province and to the development of Ontario Hydro. I think that if every recommendation of this report were taken seriously by the government and implemented by Ontario Hydro, we would still not have all the solutions that we are going to need for the development of this institution in this province over the next few years.

Ontario Hydro is like an enormous ocean liner. It has been going in one direction, sailing in a certain kind of weather system, for some time. Now conditions have changed, and even to change the direction of that enormous institution, that enormous ship that sails here in the Ontario waters, is a long-term job—to put brakes on it is a long-term job. It takes a long time to change the direction or to slow the pace of any kind of progress of this ship called Ontario Hydro.

[11:30]

We have suggested new directions and, in some senses, we have suggested braking—slowing the projected growth rate, slowing the system expansion, slowing the decision for the nuclear commitment. I think these are all directions which the government and Ontario Hydro are willing to re-evaluate at this point. I think all parties on the select committee have come to a really non-partisan feeling that it's time for a very basic re-evaluation of how this institution, this major energy-producing institution, operates in the Province of Ontario.

Without seeming mean-minded, I would like to comment on some of the points made by my colleague from London Centre who sat, as he said, on the select committee during the fall. It was the member for London Centre and his Liberal colleague, the member for Sarnia (Mr. Bullbrook), who refused to sign the interim report of the select committee in December and held out for a recommendation of a 12 per cent increase in the rates for Ontario Hydro for 1976.

The select committee, after much tortured thought and many hours of testimony, examination of documentation and questioning





If witnesses had decided that the very minimum rate increase Hydro must have to cover its cash flows in 1976, on an interim basis, was 22 per cent. We did that with great regret. There was not a member of that committee who had not hoped that we could suggest a rate increase of anywhere from six per cent—12 per cent was something that would have won my heart.

It was with great difficulty that we came to the position of recommending that Ontario Hydro be allowed a 22 per cent increase on an interim basis until we could bring out a final report and make some kind of assessment of what the cash flow conditions would be for Ontario Hydro during 1976.

The member for London Centre and the member for Sarnia absolutely refused to sign that report and made very partisan statements both within the committee and outside the committee about how the members of this select committee were being bamboozled by Ontario Hydro and pushed around by members of the government on the select committee in defence of Ontario Hydro and the position taken by the Energy ministry. I found that element in the select committee the only element which was unpleasant.

**Mr. Peterson:** Would you care to quote them that was done?

**Ms. Gigantes:** It's on the record of our hearings in the select committee. You can read. If you can't remember, you can read.

**Mr. Peterson:** You find it and show me.

**Mr. Lewis:** And if the member can do either, we will do it for him.

**Mr. Speaker:** Order, please. We'll keep to the debate before us.

**Ms. Gigantes:** I make this point because I think it's very important, on a question as important as the future of Ontario Hydro, that we be able to examine the facts in a non-partisan way. I think we may approach the problem from different attitudes from different corners of this House but I think the enormity of the energy problem facing Ontario and the enormity of that institution which delivers so much of our energy to us—Ontario Hydro—and the problems we're going to have in the future as we try to give political guidance to that institution require that we all make our very best efforts to keep ideological confrontations or cheap politics out of the discussion.

It has been a pleasure to participate in a select committee such as this one which would, for example, sit back and say, "We

have committed ourselves to a nuclear programme at a very early level of development. Let us re-examine that commitment before it becomes a commitment from which we cannot escape in the future." To me, beginning my work on the select committee in the fall, this was one of the questions which struck me as being most important for the development of Ontario Hydro.

I was delighted that each and every member of the committee was willing to consider that question and make the recommendation, in a unanimous way, from our committee that there should be a select committee to examine the nuclear role of Ontario Hydro. I think this is a time when that role has to be re-examined. I think there are questions to be raised not only about the use of uranium as a fuel but about plutonium as a fuel. I hope the government will accept that recommendation and begin to set up a select committee as soon as the House resumes session in the fall.

**Mr. Speaker,** I thank you for this opportunity to comment on the report. I have very much appreciated the work I've been allowed to do on this select committee.

**Mr. Reed:** My remarks will be very brief. I think most of the important facets of this discussion have been alluded to in the debate. I want to go on record as heartily endorsing the remarks of the chairman, the member for York South. He talked in some general terms about the components of the report in some of the very important areas and I will try not to duplicate those remarks.

I must say that this report is very appropriate in the little point in history that we're standing in right now because we are entering a new age in our relationship with energy and in our relationship with the creation of one kind of energy which is available to us in the province, electrical energy. It is true that we have had and I don't think we realized this until the last few years—what must be in world terms the Rolls Royce of the electrical generating systems, that is the hydraulic system, a renewable resource, a non-polluting resource. It is where the technology is relatively simple and very highly developed and we have lived with that great blessing over these years.

But that age has come to an end and now we are entering a configuration which puts us into a similar position, into a parallel position, with many of the developed countries all over the world. We're into the thermal production of electricity. Hence, it becomes very appropriate to look at that





generation and look at that system from a whole new point of view, where we start to look at the need to optimize the system, for instance.

Hydro is going to have to make considerations which it has never had to make before. It's dealing with some products that it has never before had to deal with. I would like just for one minute to allude to this product that is now consuming two-thirds of the thermal energy input into the thermal generating system—that is, the waste heat that is coming from the system.

Roughly two-thirds of the energy that is consumed in the nuclear plants is discharged into the lakes in terms of warm water and likewise with the steam plants. When we put in 10,000 Btu of coal into a generating plant, we get out the equivalent of 3,000 Btu of electricity at the other end. Two of the recommendations consider that problem. I am interested very much in seeing that come to pass in the years to come. We're recommending to the government that steps be undertaken right away. We know that this is a positive report in that regard because there are things that can happen next month, next week if you like, that will begin to take us into a new generation picture in Ontario.

Before being seated, I must explain to the House an inclusion in section II, page 15, which has been written into the report but clearly states that the committee considered that the matter raised was not central to the terms of reference of this committee. That is the matter of the Hydro corridor problems that have been plaguing us ever since Hydro began its necessary expansion in Ontario. I would like to make only one comment about that—that is, I regret the absence of due consideration for the human component of the expansion of the hydro-electric system.

It's the one thing that we tend to ignore and it is one of the things that we have to resolve. It's not being resolved satisfactorily at the present time. Some members attempted to bring this to the attention of the select committee but as I say, the select committee did not consider it within its terms of reference and it is with great regret on my part that it did not. However, I considered that the report was so important and so far-reaching, and, because I agree wholeheartedly with the substance of this report, I put my signature to it quite gladly. I would like to congratulate the chairman for the way he handled the select committee and those mem-

bers of the staff who worked so hard and long for us.

Mr. Williams: On a point of privilege, Mr. Speaker: As you are aware, a number of the members of the Legislature did participate in the committee's deliberations, even if only for a brief period of time. Whether or not the report made reference to those members was, to me, inconsequential. However, it appears the report has named those individuals, including myself, and unfortunately there has been a misspelling of my surname in the report, and as such I would appreciate having page 2 amended accordingly before there is general circulation of this document.

Mr. Speaker: I'll see what stage that is at.

Mr. Drea: Mr. Speaker, I will be very brief. I could join in the compliments to the member for York South but I have already done that privately. I think, despite the number of them and the tenor of them, they really hardly pay justice to the role he played in it, not only as the committee chairman but beyond that. I think we would be a little remiss in the House today if we didn't also cite particularly by name Mr. Schwartz, Mr. Fisher, their associates, and our clerk, Mr. Richardson.

This was a committee that had to work in the beginning under very arduous time constraints, and then, despite the fact that the time constraint was eased somewhat, to consider and to assemble and to prepare, to arrange logistically the enormous amount of material and people in a relatively brief period of time was an achievement by a staff that I think has been second to none in the history of committees in this Legislature.

I didn't really intend to speak today. I signed the report. I understand its significance. I think it is an excellent report. I think perhaps it will be much more appreciated a decade from now than it will be tomorrow morning, but that, indeed, really underlines the ability of a committee to come to grips with a subject that is going to become increasingly complex and increasingly challenging.

I do want to say I abhor the fact that a little bit of history was rewritten in here today. I want to say to the dilettante from London Centre that had his recommendations been carried out in December, Ontario would have been blacked out or browned out and Ontario Hydro would now be in a position of near bankruptcy because it wouldn't have enough to cover the interest coverage on its debentures in the United States and in this country.





I think I had every right to scoff at the triguing push-pull logic back in December. Suppose the impact then was to pull, and now that it is somewhat more fashionable, of course, the decision is to push. I somehow suspect in a party that is caught in that dilemma between the push and the pull, and the media impact, it is difficult to retain a consistent attitude and a consistent approach toward something as fundamental in our economic and social being and our very life-style in this province. However, I would just like to suggest that since this is going to be considered again, one of the ways to avoid the tendency to push and pull by those who are caught in that particular situation is, perhaps, to divide by four. It might produce a very equitable solution.

[1:45]

I have only one other remark. I would like to put aside the concept that there are recommendations in this report which concern the record of service, the record of the Minister of Energy and the ministry itself. I want to say that many of the recommendations which deal with government are really intended to strengthen the role of the Ministry of Energy. The ministry had already embarked upon these courses. The ministry was already aware of the problems. The ministry hasn't been standing still and waiting for this committee to come up with a collection of recommendations so it could go out and try to do something. The ministry and its research work, the minister and his staff, the minister's own approach to the problem—not only his political approach but his personal approach to the dire energy problem—were of invaluable assistance to this committee.

I want to say the recommendations there, the ones which concern government, are not criticism. They are not intended to limit the scope of the minister. They are not intended to tell him what to do. They are intended to put more weight into the work being done by this government and, by necessity, the largest energy producer in this province, Ontario Hydro, toward meeting any of these problems.

Mr. Peterson: I get tired of you.

Mr. Drea: My friend, I never get tired of anything, especially the inane remarks which come from you.

Mr. Speaker: Order.

Mr. Drea: The man who would have banked Hydro stands up here today and says, "I'm really one of those who produced this."

Mr. Speaker: Order, please. Shall we get on with the debate? Thank you.

Mr. Breithaupt: Enough of this posturing. Get on with it.

Mr. Drea: Enough of this what?

Mr. Breithaupt: Posturing. Get on with it.

Mr. Drea: You are the last one who should talk about posturing.

Mr. Speaker: Order, please. Let's concentrate on the report.

Mr. Peterson: Get on with it.

Mr. Breithaupt: Get on with the debate, if it must be done.

Mr. Speaker: Do any other hon. members wish to speak to this matter.

Mr. di Santo: Mr. Speaker, I'd like to add a few remarks to this debate which has been very valuable. I join the other members in praising the select committee for the report presented to us. I agree with most of the points and with the report given to us by my colleague, the member for York South.

I think this committee has done an excellent job and I think this has been the first thorough scrutiny of the operation of Hydro. Even if at the beginning the terms of reference were rather narrow, they have expanded their scrutiny in a much broader way and I think that's useful. Whether we are going to have the kind of rate increases projected by the member for York South in his report or whether they will be changed, is not really relevant.

What is important at this point in this province is that we decide on a serious energy policy which we don't have at this point, despite what the member for Scarborough Centre says. We need a policy which embraces not only Hydro and the products of electrical energy but an oil policy as well. All of us remember what happened at the last first ministers' conference to the proposal of the Ministry of Energy of Ontario on the blended price.

Hon. Mr. Timbrell: Did you read it, let alone understand it?

Mr. di Santo: The blended oil price was a laughable proposition, as you remember.

Hon. Mr. Timbrell: I have not seen your comments on that.

Mr. di Santo: I think we need in the Province of Ontario a general strategy for energy





but a strategy can be developed only if we decide at this point what we want to do with the whole economy of this province. It's ludicrous when the Treasurer of the province says that this government is the only government that is able to manage the economy of Ontario when we are faced with facts, like the one mentioned by the member for York South, that all at once the Treasurer cuts \$5 billion from the projects of Hydro. That means we have no planning at all in the economy of the province. I am saying that because I am mostly concerned with the development which is taking place in the nuclear sectors of Hydro.

We should re-examine seriously what we are going to do with the production of energy generated by Hydro plants because there are several points that have to be clarified. As we all know, Hydro plants require enormous amounts of investment. There are serious doubts also about the social implication and the safety implication because of the nuclear waste. Also I would say that if we develop only this kind of energy in the future, we will prevent the province from looking for alternative sources of energy because, if we don't need new sources of energy, we won't invest in research.

**Mr. Peterson:** Why don't you save this for the debate because we are going to be doing this again?

**Mr. di Santo:** The point I wanted to make is I think it's important that a select committee be set up to examine these specific points. It's important that we look at Hydro and all the energy sector as a part of the economy of the province because we have only so much capital to be invested and we have to set up our priorities. If we commit ourselves to this sector, then there may very well be other sectors which are important and may be considered a priority and we cannot respond to the needs of the people in that area.

I also want to make a final point that the needs of energy in Ontario have to be seen in the framework of the present consumption trend. We have to reassess also our needs in terms of what is really important and not what is now requested by the market and what is the consumption at this point. For these reasons I support the report of the select committee.

**Mr. Haggerty:** I want to add my comments to this particular report that was tabled this morning and to express my appreciation to the chairman, the member for York South, who in my opinion has done an excellent job in committee, and to express my apprecia-

tion to all the committee members. I think in this particular committee we did sit down and discuss the problem that was before us and we came up with some recommendations to resolve some of the issues that are facing us today in the Province of Ontario.

We had witnesses appear from almost every part of the North American continent, from Vancouver to Texas, and from other parts of Ontario, Alberta and, I believe, Manitoba. The vast experience that these gentlemen presented to the committee was well accepted by all of us. I think myself that it has been a great experience sitting on that committee and perhaps one of my most rewarding experiences. When one looks at the report, one can see there are 40 recommendations, of which about half are aimed directly at the government, while the other half are aimed directly at Ontario Hydro in the hope that they will take these recommendations into consideration in any future plans for hydro in Ontario.

Of the issues that were raised by some of the witnesses who appeared before the committee, the most important one to me is the matter of conservation of energy, which was dealt with at length in the committee hearings. I think it is the key to the future of Ontario and the next four years could very well be critical for Ontario Hydro, for the government and for the people of Ontario in reassessing the way in which we are heading for the year 2000. I think the conservation of energy will play an important role, and I recall that one of the witnesses who appeared before the committee said: "The more energy we waste today, the life of our reserves will be reduced accordingly." I think there are words of wisdom in that particular quote; it is telling us that we will pay later for the energy that we waste today—and perhaps that time is not too far away.

There are other matters raised in the committee that I would like to discuss. One matter of importance to me, and perhaps to my colleague, the member for Halton-Burlington, is that more consideration should be given to Hydro for the restoration of older hydraulic plants in Ontario that have gone by the wayside. I think it is time we took a good close look at restoring some of these plants. They may be small plants, but in the long run I think it will pay off for the Province of Ontario if we have to buy small quantities of energy from Quebec—say 60 MW or 70 MW, perhaps 130 MW or something like that. Some of these plants could be very useful in that regard.

One of the committee members discussed the matter of the Albany watershed, which I





think is another key area, and perhaps we should be looking at the development of that particular watershed for hydro power.

Some reservations have been expressed about the matter of nuclear power in the Province of Ontario. I quite agree with what the committee had suggested, that there should be more dialogue with the public of Ontario as to the possibility of potential hazardous conditions that may exist around nuclear plants and the possibility of failure of a nuclear plant, which could cause some serious problems to all of us in Ontario.

Regarding the matter of hydraulic plants, these should be developed to their fullest capacity because, as some witnesses stated in the committee, hydraulic power is the cheapest form of power and it involves the least amount of potential hazards or risks. When this report is debated in the fall, and perhaps a lengthy debate will be taking place, I think we should be looking at the particular areas I have mentioned today.

I know there are difficulties facing Hydro; one of them is their borrowing difficulties. I feel that the committee did not really have sufficient time to get into the matter of the borrowing difficulties that are facing Ontario Hydro, not to mention the Province of Ontario. But one of the areas that should be looked into is the money that is available through the Ontario Hydro employees' pension fund. I understand the fund has, in round figures, about \$600 million, which in my opinion should be available to Hydro to borrow on a short-term basis instead of Hydro having to go to the United States to borrow money at high interest rates. Perhaps we should also be looking at the high interest rates in the Province of Ontario. If we want to control our direction in the future, I think we are going to have to look at the interest rates that are before us today.

[1:00]  
I do commend the committee on the commendation on page III-50, where we suggest to the government of Ontario that there should be a continuing monitoring policy or programme to keep tabs on Hydro's policy on an ongoing basis. I think perhaps this is the key to it. I think this is the most important one, too. In the 70 years since the foundation and the cornerstone of Ontario Hydro was laid, this is actually the first time that I've ever had to go before a committee of the Legislature to answer: "Where are you going? What are you spending money on?" and so forth. I think this the important piece and, hopefully in the fall the Legisla-

ture will consider this particular recommendation. I think it's important. With those few comments, I'll sit down.

Mr. McCague: Mr. Speaker, having been a member of the committee, I wouldn't want to miss the opportunity to thank, like the others, the member for York South for his excellent leadership and guidance during the deliberations of this committee. Some have said that he is the best chairman they ever sat under, and it may well be that the hon. member for York South will go down in history as the most capable leader of the NDP in Ontario.

Mr. Lewis: That is entirely possible and, what is more, likely.

Mr. McCague: As well as the excellent work done by the chairman, I would like to say how much I appreciated working with the members of all other parties and congratulate them for the very responsible approach they took to the matter at hand. I wouldn't want to be unduly critical of the members for London Centre—

Mr. Peterson: Go ahead.

Mr. McCague: —and Sarnia, but I would just like to point out that we did make an awful lot of progress after December.

Mr. Peterson: George, who wrote that speech for you? It was one of your best.

Mr. McCague: Because it was short.

Mr. Haggerty: Three minutes too long.

Mr. Cassidy: Commendable.

Hon. Mr. Timbrell: Mr. Speaker, I am aware that there was an agreement among the House leaders of the three parties that this discussion would be limited to 40 minutes. I believe it's now gone 70 minutes, and I won't be any longer than I need to be.

I should start—but I won't—by commending the chairman of the committee and the staff. I don't do that out of any negative feelings, but I've said it before. I think the chairman knows and the staff know that I think they have carried out their duties with commendable devotion to duty and with a high sense of responsibility.

I want to say that while I don't totally agree with all of the recommendations of the select committee, I would have to concur with the sentiments expressed by a number of the members that since the inception of Ontario Hydro in 1906 under the





late Sir Adam Beck, there has hardly been a more important time, a more significant era, for Ontario Hydro than that which we are now in.

Unquestionably, in the 17 or 18 months that I've had the honour to be Minister of Energy, I have often said, as the member for Carleton East has said—in fact, I've used the same analogy—that Hydro is not unlike the ocean liner which can't be turned around on a dime, which has to be turned around gradually, but unquestionably has to be turned around.

I think it's important to note that if the hon. members would take the time to look at the annual report of Ontario Hydro and look at some of the recent—when I say recent, within the last 1½ years—speeches of the chairman and senior officials of Ontario Hydro, they will note that, in fact, that sentiment is shared by Ontario Hydro; that they recognize they're in a new era, caused by whatever factors, be it inflation, be it a growing—thank God, growing—awareness that we're dealing with many finite resources, that the people have to change their consumption patterns; be it the changes in government policy regarding borrowing and public financing—whatever it might be.

I want to say that I take this report most seriously. One of the first things I read when I went to the Ministry of Energy was Task Force Hydro. One of the key recommendations, as I see it, of Task Force Hydro was that there be developed a memorandum of understanding, an agreement, an accord—I forget, actually, the exact terminology of Task Force Hydro; let's call it an agreement—between the government and Hydro, setting out what the government considers to be the kind of electrical generating system in the Province of Ontario which is acceptable to the government on behalf of the people.

I think that is key. I think it should have been done a long time ago; it is something which long ago I directed my staff in the Ministry of Energy to work on. It is something which a group of my staff is meeting on this morning and I will be going back to meet with them after this debate.

This report and the most recent reports of the Energy Board will contribute a great deal to the development of that understanding between the government and Hydro. It will be clear to all—to the Legislature, the public and any interested individual or group—exactly what is expected of Ontario Hydro and, based on that understanding and those

expectations, what it is likely to cost and what the other implications are likely to be.

In short, I suppose I am saying that many of the recommendations—the hon. member for London Centre points out a number of them, perhaps half; I haven't separated them—are directed at the government. The hon. member for Scarborough Centre pointed out—I think quite rightly, although I was flattered by his remarks—that many of these are areas of policy in which the ministry is already engaged. They are areas which require a great deal of study in the ministry; or areas for which—for instance dealing with the question of district heating or solar energy—we have commissioned outside research; or, getting into the question of the recommendations on the use and the greater sale of interruptable power, which will require a hearing at the Energy Board this fall when the study on costing and pricing by Ontario Hydro is delivered to me by the end of September. Most of these things are under way.

The hon. members made a number of comments regarding load growth, load management, conservation and so forth, and the nuclear aspect of the Hydro system. I want to point out one thing. The last speaker for the Liberal Party said this was the first time Ontario Hydro had had to go to a Legislature committee. Unfortunately, the hon. gentleman is not correct. For many years it was the practice for Ontario Hydro to appear before estimates committee, I believe, of whichever minister was responsible.

Mr. Lewis: No.

Hon. Mr. Timbrell: I beg your pardon?

Mr. Lewis: No, the minister is absolutely incorrect.

Mr. Speaker: Order, please.

Hon. Mr. Timbrell: The point is, Mr. Speaker,—if I could finish what I was going to say—

Mr. Breithaupt: The committee didn't even know what to ask.

Mr. Speaker: Order, please. Let's get on.

Hon. Mr. Timbrell: The member for Ottawa Centre knows not of what he speaks. The point is the opportunity was always there. It wasn't a case of the government—

Mr. Lewis: Yes, it was the silliest—

Mr. Speaker: Order, please. That is not really the debate this morning.





Hon. Mr. Timbrell: Mr. Speaker, the hon. member is inferring that the members of the day didn't know what they were doing.

Mr. Cassidy: You had better go to another subject.

Mr. Breithaupt: The members did not even know what questions to ask.

Mr. Lewis: The government members didn't know.

Hon. Mr. Timbrell: The point is the opportunity was there.

Mr. Speaker: Order, please. We are wasting more time. Order, please.

Mr. Lewis: Never. They presented a slide show. They snowed us every time.

Mr. Cassidy: You Tories are all the same.

Mr. Breithaupt: That's precisely right.

Mr. Lewis: The minister is misleading the House, inadvertently.

Hon. Mr. Timbrell: Not at all.

Mr. Cassidy: He should have taken preventive measures.

Hon. Mr. Timbrell: At any rate, Mr. Speaker—

Mr. Lewis: The Hydro hearings are a new approach.

Hon. Mr. Timbrell: That may be.

Mr. Lewis: Yes.

Hon. Mr. Timbrell: The point is, the opportunity was there.

Mr. Lewis: Shame.

Mr. Speaker: Order, please.

Hon. Mr. Timbrell: Mr. Speaker, trying to be heard over the babbling—

Mr. Lewis: With George Gathercole waltzing in and out of the proceedings.

Hon. Mr. Timbrell: —I am tempted to respond to all of these points but there isn't enough time.

I think the most important point I would like to make in conclusion is the fact that as minister I don't have the luxury some others have of looking at Ontario Hydro in isolation. If I have misgivings about some of the comments of the committee about interconnections, about load management, about conservation—the development of con-

servation programmes and reduction in growth of demand is unquestionably one of the most important policy matters facing Ontario Hydro and the government. I think we've made a good beginning in that area. There is no doubt much more to be done.

Inasmuch as we are dealing with an even more uncertain situation with respect to other fossil fuels in the province, their supply and their price, the members will understand, I hope, if I express some concerns about some of the points made by the select committee, if perhaps I am a little bit more cautious than I think perhaps they were, if perhaps I suggest that such bodies as the Energy Board and the Porter commission are already looking at some of their concerns. As has been noted, this matter is to be put over for further consideration. I can assure members, assuming I am still the minister by the fall, that this will be given every consideration by myself and by my ministry and, therefore, by the government.

The direction in which I intend to move the ministry is toward a clearer understanding between the government and Hydro of what is expected of both, to make more obvious many of the policies that have already been in place and many of the understandings which are in place. I would close then by commending again the members of the select committee for their diligence, if perhaps, if I may say, not totally coming to grips with the issue. There are many things which have been left out, such as the economic impact on the province of some of their recommendations, but I commend them for their work that they have done.

Mr. Renwick: Mr. Speaker, may I say, in response, I had not intended to enter the debate under any circumstances this morning. I want to say that I personally, and I think each member of the committee, will be extremely disappointed and concerned about the response of the minister this morning to that report.

Ms. Gigantes: Right.

Mr. Renwick: I think it would have better served the public interest if the minister had said nothing than to have indicated that a matter of extreme urgency, of major importance is going to be dealt with as if it is one in a series of hearings that will pre-occupy Ontario Hydro from now until 1985 and that the urgency and the importance of what we are about will be dissipated and lost. I simply say to the minister that I want him to think again about what he has said. I do hope that this debate will be called





again, perhaps in the fall, so that we can get a clear and public statement from the minister about his intentions, because if the thrust of this report is not accepted then I want to know that it is not accepted and I want to understand that it is not accepted. I want the minister to know and I want the government to know that we on this side of the House consider that report a matter of major public importance in Ontario and we expect a clear and positive response from either the minister or from the Premier with respect to the intentions of the government about it.

Hon. Mr. Timbrell: Mr. Speaker, on a point of order or a point of privilege or, as the hon. member for Scarborough West has often said, a point of view. I would indicate that if the member took from my remarks some indication that this is a report which is going to be sloughed off, a report which, as some member said, is going to be placed on the shelf to gather dust, then I am afraid he took the wrong impression. I indicated at several points—and I don't know if he was in the House for the entire duration of my remarks—

Mr. Renwick: Yes, I was.

Hon. Mr. Timbrell: —that I place a great deal of importance as the Minister of Energy on developing, in line with the recommendation of Task Force Hydro, this understanding between the government and that utility as to what is expected and what is acceptable to the government. If I have to be more unequivocal, let me say that I do place a great deal of importance on the work which the committee has done. I hope the member will allow me some luxury for saying I have reservations about some of the comments and some of the recommendations and will express them further later, when we have had a chance to study the report and consult with many of the same people who appeared before the committee to get their reactions to the report.

Hon. Mr. Welch moved the adjournment of the debate.

Motion agreed to.

[12:15]

Hon. Mr. Welch presented the report of the Agricultural Research Institute of Ontario covering the period April 1, 1974 to March 31, 1975.

Mr. Speaker: Motions.

Introduction of bills.

## PUBLIC PLACES SMOKING REGULATION ACT

Mr. Cassidy moved first reading of bill intituled, An Act to provide for the Regulation of Smoking in Public Places.

Motion agreed to; first reading of the bill.

Hon. Mr. Kerr: I suppose you are going to be about an hour explaining it?

Mr. Cassidy: Mr. Speaker, in the absence of action by the Ministry of the Environment, this is a bill designed to protect non-smokers from tobacco fumes by setting aside specific areas in which smoking would be permitted. No more than half of any area defined as a public place would be allowed to be designated as a smoking area. The bill would apply to public meetings, to areas such as restaurants, shopping plazas and offices to which the public has access, to public transportation and to places of work, except offices occupied exclusively by smokers. It's a good bill and I commend it to the government.

## APPOINTMENT OF PROF. ERIC R. ARTHUR

Mr. Speaker: Before the orders of the day, I must report that on Wednesday last, the Minister of Government Services (Mrs. Scrivener) announced to the House the engagement of Prof. Eric Arthur to act in an advisory capacity with respect to the preservation, maintenance and restoration of this building and its historic features, particularly in view of those changes which modern conditions impose for the better service of the members and the general public.

The member for Ottawa Centre quite properly questioned this announcement by the minister insofar as it pertains to this chamber and those parts of this building which are directly under the Speaker's jurisdiction. He also pointed out that the recommendations of the Camp commission respecting the jurisdiction in and the proposed alterations to this building are presently under study by the select committee studying the fourth and fifth report of the commission.

I'm pleased to report to the House that I have received an apology from the minister for her unintentional encroachment on the jurisdiction of the Speaker—

Mr. Lewis: No unintentional about it.

Mr. Speaker: —which I fully understand. More important in my view, however, is the fact that I have had an opportunity to meet and confer with Prof. Arthur and I have re-





quested him to make himself available as consultant and adviser to me in his specialized field, and also to make his advice available to the select committee if the committee so wishes. I know the members will agree with me that Prof. Arthur's abilities and experience will be invaluable in ensuring that any necessary changes will conflict as little as possible with the architectural and historic beauty of this fine old building.

**Mr. Cassidy:** Mr. Speaker, on a point of privilege. May I just thank you for that ruling on our behalf and say that we agree with you on the outstanding qualifications of Prof. Arthur to be a consultant to you and to the Legislature and we will welcome his assistance on the committee.

**Mr. Lewis:** On a point of order, I would like to add this footnote: In the continuing struggle between the Ministry of Government Services, exemplified in the person of the minister, and yourself, Mr. Speaker, and the other members of this Legislature for some control over the rational use of this building, I am very pleased that the Speaker asserted his rights not to be bullied by the civil servants of that ministry. It is an important precedent for the members of this House.

**Mr. Drea:** This is going to be a landmark speech.

**Mr. Breithaupt:** I would rise on that point, Mr. Speaker, only to comment that he not only took care of his rights and asserted them, he happened to have asserted our rights as members of the Legislature.

**Mr. Drea:** Why don't you speak for yourself?

**Mr. Breithaupt:** I do speak for myself and on this occasion I speak for my party as well.

**Mr. Cassidy:** Mr. Speaker, may I address a question to the Chair? Is it understood that, whatever Prof. Arthur may wish to do for the Ministry of Government Services after the committee's report is submitted, at the present time Prof. Arthur is only reporting to you and not to the minister? Is that correct?

**Mr. Speaker:** I presume that is correct, on those parts of the buildings which are under the Speaker's jurisdiction, but I'm sure we'll be kept informed on anything that pertains to the rest of the building. We don't have any formal contract or agreement; I want to make that clear.

## ANSWERS TO WRITTEN QUESTIONS

**Hon. Mr. Welch:** Mr. Speaker, before the orders of the day, I want to table the answers to questions 101 and 108 standing on the notice paper (See appendix, page 3603.)

## THIRD READINGS

The following bills were given third reading upon motion:

Bill 98, An Act to amend the Travel Industry Act, 1974.

Bill 108, An Act to provide for the Continuance of Certain Payments between Municipalities under The Child Welfare Act, 1965.

## ENVIRONMENTAL PROTECTION AMENDMENT ACT (concluded)

Resumption of the adjourned debate on the motion for second reading of Bill 81, An Act to amend the Environmental Protection Act, 1971.

**Mr. Speaker:** The hon. member for Windsor-Sandwich was on his feet. He is not here this morning. Are there further comments?

**Mr. Renwick:** Mr. Speaker, may I on behalf of the member for Windsor-Sandwich simply say that unfortunately he had to leave to return to Windsor to keep an important engagement. While he still had two or three other points that he wished to make, he felt that he could entrust them to the care of my colleague the member for Wentworth and, if necessary, myself.

**Mr. Speaker:** We will hear the hon. member for Erie first then, in the ordinary rotation.

**Mr. Haggerty:** I want to express my views on An Act to amend the Environmental Protection Act as it relates to control of beverage containers. The Niagara regional council has sent a resolution to me endorsing the resolution, I think from the city of Windsor, to support the resolution on the control of beverage containers in the Province of Ontario. When I think about this particular piece of legislation, it has been kicking around the Ontario Legislature for some six years and it has been recycled twice by the present minister. He discussed this in a white





paper some two or three years ago and there has been quite a bit of dialogue on it.

The industry itself should have been well aware that legislation was coming forward. We are all concerned about the possibility of jobs being lost. In particular, the member for Windsor-Sandwich mentioned last night he was concerned about this particular section of the bill that perhaps jobs would be lost through it. When you sit down and look at it, if you go back a few years ago when milk was served on the doorstep by bottles, it always created an extra one or two jobs back at the plant to have them washed properly.

There are many instances where the tin containers cause quite a nuisance, particularly to the municipalities. This is one of the reasons why they were solidly behind these resolutions and recommendations to the minister to put on some type of control. One can walk down the city of Toronto, particularly when they have a garbage pickup in any day, and look and can see that perhaps 90 per cent of the garbage could be recycled. When you look at the number of glass containers that are there, you can see the glass containers that are in almost every home, and the number of pop, steel or rimmed containers that are around the house. It causes quite a bit of problems of how to dispose of them.

On this basis, when you look at the municipalities which have been wanting this type of legislation, there is a reason for it. Municipalities are running short of land disposal and it is getting too costly to take garbage or trash that is available in the Province of Ontario through our waste to be dumped into some type of landfill. Many municipalities are not fortunate to have some ravine or some other area or some open pit or something like that they may want to fill in. Some of them have to go out and purchase exceptionally good valuable land that could be used for housing. There is a greater need for that than for landfill for this. It is costing the municipalities money to bury the garbage or trash. I have to give the minister credit for moving in this direction to bring in this bill that will perhaps give the municipalities some relief in the matter of garbage disposal.

I suppose we have to look at the matter of the conservation of energy, too, when we change from one product to another. I think the matter of energy in the Province of Ontario, particularly the conservation of it, is one of the most important keys to our survival to the year 2000.

I think all these things should be taken into consideration. It was well documented by the member for Windsor-Walkerville (Mr. B. Newman) yesterday in his comments to the minister and to the Legislature that there is a waste of energy in manufacturing and disposing of such containers which are not necessary on the market.

As has been mentioned before—I think I've suggested it to the minister before—there should be a certain standardization of glass containers so they can be used over and over again; recycled in a sense. I think, when we look at the municipalities really wanting some legislation—and the minister has brought it in now—in the long run there's going to be a reduction in municipal taxes because it costs money to dispose of waste in any municipality. It's getting to the stage when the cost is getting pretty high; the land isn't available any more for landfill and we have to look at other methods of disposing of our waste. I think this is one way we can put a different type of control on the industry and say they must go back to a returnable type of container. This bill does direct them to do that.

Of course, there was some mention yesterday that there should be a certain levy or tax on that returnable container, high enough so that persons will take it back to the store or wherever they purchased their goods, and they will keep it in the recycling business instead of throwing it onto our streets and parks. Almost everywhere we can see tin cans floating around the community, throughout Ontario.

The Ministry of Natural Resources can pretty well tell us what it costs to pick up the trash and the garbage left in our provincial parks. I think this is one direction on which I have to agree with the minister. Finally, after six or seven years of dialogue with the industry, he has moved in that direction to correct the problem which is costing the taxpayers money in the Province of Ontario, and I commend him for it.

Mr. Deans: Mr. Speaker, I have grave reservations about the bill. That doesn't mean I'm not going to support it but I want to express to the minister, through you, sir, the reservations I have.

For nine years in the Legislature I've tried to find out exactly what was this government's policy with regard to manpower, job creation and retraining. I asked the question on so many occasions that it became repetitious. In the course of the last Parliament I attempted to find out from the then member





Hamilton West—the Hon. Jack McNie, who apparently was charged with responsibility for retraining and for manpower policy—exactly what he did and what kinds of policies and proposals he was prepared to bring before the Legislature and when.

Mr. Breithaupt: You will never know.

Mr. Deans: He was unable to answer at that point and he's now gone. I then attempted to find out from the Premier who was responsible for manpower, retraining, job creation and policies related to ensuring the economic well-being of the people of this province. I was told it was the Minister of Labour.

[30]

I asked the Minister of Labour if she would tell me what she did with regard to the creation of employment, taking into consideration the effects of automation, cybernetics and whatever other things—including automation—would have on the work force of this province and the need to create adequate opportunities for employment of that work force. Quite fairly I must say to the Minister and to the members that I don't yet understand what the policy of the government is in that regard, other than to say that I have seen little—in fact, I have seen no evidence of any inclination or intention on the part of this government over the period of time that I have been here, to develop clear and concise policies that are easy to understand and workable with regard to taking care of people who are, through no fault of their own, placed in a position where the employment that they have enjoyed and looked forward to continuing is discontinued.

I have constantly said that the government has to be more active, particularly with regard to plant closings and ensuring that there would be some way that the people who are mentally involved would be given the kind of assurances, followed up by policies and directions, that would keep them and their families at the level that they are accustomed to. When I speak about this it is with that background.

I worry daily about what will happen to people in the industry. I worry about the litter, let me tell you, and I'm concerned about the litter, and I think a lot about how we can resolve that problem. I would be delighted to stand and speak with some degree of conviction about the movements of the government with regard to banning the phasing out of non-returnable containers if

I had any degree of confidence in the government's commitment to ensuring that people will be taken care of with regard to their economic needs.

I'm going to tell you, Mr. Speaker, that as I stand here I am as convinced now that they won't be taken care of, because I am convinced that the government doesn't have within it the capacity to address itself to those kinds of big, major, important problems. There isn't any indication anywhere in the history of this government that it is capable of looking after this kind of difficulty, of developing an expanding economy, of ensuring that there will be job creation, of guaranteeing those who are dislocated by the activity of the Legislature—even that group—that they will be given proper consideration, retraining, better education, and thereby suited for jobs that are being brought into the job market.

As members know, our party is of a different mind and will—in fact, the member for Riverdale will move it at some point—to create a longer period of time for this transition that is going to take place. I want to say that even if they accept, as I suspect maybe they will—I hope they will, at least—the member for Riverdale's recommendation in that regard which reflects the party's position, that they will continually monitor the effects of the phasing out and that they will continually place before this Legislature the reports on that monitoring; that they will, on a monthly basis, make themselves and the members of the Legislature aware of the impact of whatever is going to happen in the job problems.

Okay, I will settle for quarterly. But I have to know, during that five-year period, on a regular basis that every single employee with the will to work is given the opportunity to find suitable employment at rates of remuneration commensurate with the rates that person, male or female, would have been receiving had we not taken this step.

That is the key to it, because whatever we do in this Legislature that has a detrimental effect on anyone in the Province of Ontario, we have an obligation to take into consideration those detrimental effects and to seek out the solutions to offset whatever those effects are. I am saying that if, down the road a way, I am convinced that the government still hasn't moved to provide the kinds of retraining and educational programmes and the kinds of initiatives that will ensure the employment of





those people and their economic well-being, then I would move to repeal this legislation.

While it may be in the common interest to ban non-returnable containers, it is only in the common interest if it can be done without detrimentally affecting the workers and their families. They simply cannot be asked to bear the burden by themselves of what may well turn out to be beneficial to the overall community. Let us not ask one select group to carry the economic burden of what may turn out, over the long haul, to be beneficial in some form or other to the overall province. We have to make a commitment in the Legislature, here and now, to those people, and particularly those who may have difficulty, given the job market as it now is, because of age, training, background or education. We have to make it absolutely clear to everyone that we, as a Legislature, are committed to assuring those people that they will not be faced with the insurmountable problems and costs of trying to cope with unemployment created as a result of our actions.

I think we must be very aware, as politicians and as members of this Legislature in particular, since we can speak for no other, that we don't have the right to threaten people unnecessarily; nor do we have the right to create the anxiety within those workers and their families that we won't respond positively to their needs. I ask the minister to give particular recognition to that point, because it worries me no end. If I have to choose between those people and banning the containers, I'll choose the people every time.

Mr. Reed: Mr. Speaker, it would appear that this bill has raised something of a dilemma for the NDP inasmuch as, on the one hand, they are deeply concerned about the waste and garbage problem—at least I am certainly led to believe that—while on the other hand, when we are actually going to deal with the bill that will help to relieve this problem, we are having constraints placed upon it by the NDP.

Let me just say to the House that so far as we know to this point, all of the evidence we have seems to indicate that when we go from a configuration of non-returnable containers to returnable containers, if we are to take statistics that have been given to us from other jurisdictions, we can actually increase the level of employment.

Mr. Lewis: Nothing shows that. That is utter nonsense.

Mr. Renwick: There is no evidence of that.

Mr. Lewis: Five years ago there was evidence.

Mr. Reed: I refer the hon. member to the Oregon experience.

Mr. Lewis: Which is discredited now.

Mr. Reed: I am as concerned about employment in this province as any other member of this House, but I feel that we have to get on with the job of getting into a returnable situation, not only from the point of view of saving energy, but from the point of view of the reduction of the solid waste disposal problem—

Mr. Ruston: Using up all my farm land.

Mr. Reed: —which has become more and more acute in recent years and will increase as populations tend to migrate to the urban areas.

I would like to ask the minister whether, in regulations subsequent to the passage of this bill, he would also consider including, for instance, the LCBO and the wine industry into that returnable situation because I feel that there is a tremendous amount of waste glass and so on created by that industry.

I would like us also to allude to some concern that has been presented on the part of the can producing industry as well. Let me assure the minister and assure the House that there is no reason, and experience seems to show that there is no reason, why the can cannot be sold on a deposit basis as well as the glass bottle and arrangements made for its return and the recovery of that deposit so that the can could be recycled.

In order to accomplish this, it requires the setting up of some small mechanism on the part of the beverage producers, but it is certainly not difficult and it would keep in operation a great convenience to many people. As we know, cans are lighter, they cool more quickly and, if they are constructed of the proper materials, none of the can is wasted—even the tab on the top can remain with the can—and it can be returned for recycling.

I would like to suggest to the minister that I am very much in favour of this bill and will support its passage but I would be reluctant to accept lengthy time constraints on the implementation of regulations.

Mr. Renwick: I want to speak relatively rapidly and concisely I trust on second reading of the bill. Before I conclude my remarks I am going to read the amendment which





we will be proposing in committee on the assumption that being a single amendment to a section of the bill that we can deal with the debate expeditiously when we move into clause-by-clause discussion of the bill.

I want to affirm what my colleague from Hamilton East (Mr. Mackenzie), my colleague from Cambridge (Mr. Davidson), my colleague from Wentworth, my colleague from Durham West when he spoke initially on this bill, and other members of this party, said about our concern about the job component and the problems related to that.

I don't think the minister, who has been here during the time when people have lost jobs in the province, has any doubt about the importance that we place in this party on the question of government policy about job retraining, job relocation and the ability of our society to deal with changes in the economy related to jobs.

I will never ever forget the trauma of the closing of the Dunlop plant in my riding. I have been concerned for a long time about the potential danger to the jobs in the Canada Metal plant in a very difficult environmental situation in the riding of Riverdale. I need hardly draw to the attention of the minister the immense difficulty that a party such as ours has in reaching political decisions with respect to how we express our fears and concerns about hazards at the work place compatible with the need for people not to be threatened in the jobs which they have, whether it is at Elliot Lake or at Matachewan—

**Mr. Grossman:** We have the same concerns.

**Mr. Renwick:** —or whether it is the saw-mills in the lumbering industry in the area of Algonquin Park. Wherever that problem arises it is of immense concern to us and it was of immense concern to the caucus of the New Democratic Party when the minister introduced this bill on May 7 last as to how we would deal with it.

[12.45]

Our party and our caucus reflect the two aspects of the problem, the concern about the environment, the need for solid waste management and the concern about the litter problem as one aspect of the solid waste management programme. We share the concern about the problems of persons who hold jobs in the economy and who may very well lose their jobs because of environmental needs either at the workplace or in the surroundings affected by those jobs.

I want to make it quite clear that our convention in 1974 in Sudbury adopted a re-

source management resolution consisting of a number of parts, one of which was that an NDP government would phase out, over a maximum of two years, all non-refillable soft drink containers.

This bill was then introduced by the government and the caucus of this party gave considerable attention to the problems which were involved. We heard representations from the United Steelworkers of America with respect to their assessment of the problems which were involved. We heard representations from James Purna, the head of the glass and ceramic workers in Canada, about the problems which are involved in it and the threat to the jobs with which we were concerned.

Many of my colleagues are equally concerned about those matters. With that in mind, deliberately and after considerable thought, we referred the matter, as a request, to the convention of the New Democratic Party held in Kingston last weekend for the purpose of obtaining the decision of the convention and the direction to the caucus by that convention of what, in these circumstances, the New Democratic Party's position on this bill would be. I want to express to the government our appreciation for standing the bill down or holding the bill until we had an opportunity to receive that direction from the convention of the New Democratic party.

First of all, let me simply say that we made our request through the normal channels of our party to the council of the party, asking that the resolution go forward to the convention among other resolutions dealing with environmental matters for consideration in the ordinary course of the business of the convention. There were two resolutions passed at the convention dealing mainly with this type of problem.

One was a broadly based resolution, introduced by the riding of Brant-Oxford-Norfolk, establishing the need and the essential ingredients of a New Democratic government's policy for recycling, in its broad sense, of the waste in our society and covering many aspects of that area of solid waste management. In addition to that, the convention passed a resolution which was debated vigorously by the proponents on both sides of this difficult and vexed question. Nobody need think that the English language is yet sufficiently flexible that in every situation it can reconcile entirely two irreconcilable viewpoints. In a political sense we received a political decision of our convention which we





reflect in the amendment which was put forward.

The following resolution on solid waste management was passed by our convention:

Whereas the creation of unnecessary waste consumes valuable and finite resources; whereas industry has been moving toward an increased use of unnecessary and disposable packaging; whereas many materials which could be recycled are currently being disposed of as garbage and litter and lost forever; whereas the disposal of this solid waste is consuming more and more of Ontario's valuable land, energy and financial resources; whereas there are presently feasible alternatives to unnecessary and disposable waste; whereas an adequate labour policy is an absolute prerequisite to a responsible environmental policy; whereas the New Democratic Party has committed itself to protecting labour and to preserving the environment and conserving our natural resources; and whereas no particular group of workers should be threatened by or bear the full brunt of policies designed to protect the environment,

Therefore be it resolved that a New Democratic Party government would introduce a rational long-term policy for solid waste management which would reconcile the need for environmental protection and the needs of workers, which would include the following:

1. Products review board: To reduce the amount of unnecessary packaging and waste an NDP government would set up a products review board which would look closely at all products and packages now on the market, as well as any new ones, and judge them according to stated environmental criteria, including durability, reusability, repairability, refillability and recyclability, to determine their acceptability for continued use or introduction.

2. Beverage containers: With the objective of eliminating the use of all non-returnable beverage containers in five years, the New Democratic Party would initiate a five-year phase-out programme on the use of nonrefillable beverage containers where feasible alternatives exist.

This would be accomplished by: (a) legislating standard bottle sizes and types, (b) setting a deposit on all containers large enough to ensure their return for reuse or recycling, (c) requiring all stores selling beverages to carry at least half of their stock in refillable containers, (d) develop-

ing, in conjunction with affecting industries and workers, a timetable for phasing out production and relocating workers within the five-year phase-out period, (e) carefully monitoring the phase-out to ensure its success.

3. Litter: To reduce the amount of litter an NDP government would promote aggressive anti-litter campaigns and increase and enforce fines for littering.

4. Recycling: A New Democratic government would encourage the recycling of those solid waste materials which must be produced and which cannot be reused. This would be done in part by developing and encouraging source-separated collection systems for garbage, thereby reducing as much as possible the need for costly reclamation plants, and in part by building publicly owned recycling plants, setting freight rates so that recycled materials could be moved more cheaply than virgin, raw materials, and adopting a preferential purchasing policy for the products made from recycled materials. A New Democratic Party government would also support funding experimental recycling systems on a municipal scale.

5. Waste disposal: A New Democratic Party government would strongly discourage any long-term commitments to future landfilling of garbage. Rather, a New Democratic Party government, would construct energy recovery plants to dispose of those materials which can neither be reused nor recycled.

6. Labour: A New Democratic Party government would develop an overall labour policy which would protect workers in industries affected by environmental policies. Such a policy would include retraining and relocation assistance for laid-off workers, guaranteed continuation of package benefits accumulated at a previous job, and would be designed to ensure that no worker's livelihood would be threatened by environmental protection policies.

Mr. Speaker, within the framework of that resolution, passed by our convention in accordance with that direction, I will move in committee that clause (c) of section 1, of Bill 81 be amended by adding thereto the following:

(df) providing a schedule for the regulation and the prohibition within five years of the use, offering for sale or sale in Ontario of nonrefillable or nonreturnable containers for any beverage.





2. The regulations made under clause (df) of subsection 1 shall be filed pursuant to the Regulations Act not later than July 1, 1977.

During the course of the consideration of this bill I, along with my colleague the member for Durham West and my colleague the member for Hamilton East, together with a research assistant of our caucus, Miss Jill Eisen, met with the minister and his executive assistant to discuss some of the aspects of this bill.

I'm not suggesting for one moment that there were any commitments made or not made at that meeting, but there was a certain exchange of views and a sense of understanding about what the government's plans were and about the difficulties and concerns which we had about the bill, which I may say I'm quite certain are shared by the government in respect to the job question and the environmental question.

At that particular time, I think it is fair to say that the minister indicated quite clearly to us that it was his intention, as these regulations were developed and before they were filed, to provide an opportunity for public discussion and concern about them in the framework of the enabling legislation which we are going to pass.

It is my understanding that he will provide them in draft form, not only to other members of the assembly but to all interested groups or persons who may be concerned about this matter so that there can be public consideration and discussion of the regulations before they are brought into force.

I think we reached substantial agreement—and again I emphasize that in no sense were there any commitments made about any of these matters at the meeting, but we were talking the same kind of language when we decided, for example, that deposits would be required on all containers, that there should be standard bottle sizes and shapes, that there should be a mandatory refund at stores where the particular containers are bought, and in a number of such areas about which those more knowledgeable in this field than I can speak, and have spoken, with greater knowledge during the course of this debate.

I simply want to say to the minister that with the difficulties which are involved, we tried as best we could to come to what we believe to be a fair and reasonable decision on the matter. We asked that the matter should be put openly before our convention for discussion, and we emphasized that we

were simply asking for instruction; as a caucus or as members of the caucus, we were not taking any particular view of the proposal before the convention.

The convention passed that resolution, which I have had the privilege of putting on the record of this assembly in a very all-embracing sense, and within the limits of this particular bill I will propose the amendment to which I have referred when we reach the committee stage of the bill, which it would appear now will not be until the beginning of next week.

I did want to point out to the minister that we share in substance the broad concerns of the two aspects of this problem, if one can put it in those terms, and we support the legislation. We have concerns about the immense regulatory authority being granted to the minister, but we believe that it would go a long way to solve the granting of such immense regulatory authority if the minister would comment on my remarks about the circulation of the draft regulations for public input and discussion before they are enacted or filed for the purposes under this Act.

We do have reservations about the problem, because we believe that those who now have jobs in those plants and who have particular in-plant skills, which are on many occasions not transferrable, are not prepared to accept the kind of specious statistical information which would indicate that yes, there will be other jobs, more jobs, different jobs or indeed that the persons presently in place in their jobs and earning their living will necessarily find an adequate and equal opportunity of employment elsewhere.

With all of those reservations this caucus, with the direction from the convention of this party, will support the bill and will move the amendment which I propose.

Hon. Mr. Welch: Mr. Speaker, I wonder if I might just interject for a moment. The minister has a brief summary which will take us past 1. Could we have the consent of the House for the minister to sum up so that we can give second reading to this bill before we adjourn?

Mr. Deans: Agreed.

Mr. Breithaupt: Agreed.

Mr. Speaker: It is so agreed.

Hon. Mr. Kerr: Mr. Speaker, I think it might be wise, as I did at the time we introduced the bill for second reading, to





review briefly what has been done by the government in this particular area.

I mentioned that about five years ago we appointed a Litter Council. At that time, the concern about the disposable cans and bottles was mainly in respect to litter. The Litter Council submitted a report that really didn't say too much as far as controlling disposables, deposit on disposables or banning the throwaway in any way are concerned. It did make certain recommendations regarding litter and what to do to control it and minimize it. Later there was a report, called the Solid Waste Task Force, which dealt much more extensively with the whole problem of waste disposal and the philosophy of the throwaway society in which we live.

[1:00]

Finally, about a year ago, my predecessor set up the Waste Management Advisory Board and at that time he indicated to the industry that unless something was done to make more soft drinks in refillable containers available to the public the government would have to act in some way. He set out criteria but unfortunately the action did not come from the industry until the very end of the 12-month period in which the hon. minister had indicated that some definite improvement had to be made in the soft drink industry.

I think the Waste Management Advisory Board report is an excellent report. It is a comprehensive report and, of course, it had the advantage of the previous studies and experiences in respect to this subject matter. After about a year of deliberations, the board was able to make about a dozen recommendations which, in my opinion, should pretty well be the final word on how to deal with this problem.

It mentioned, of course, that the big problem is the distribution system itself and the fact that there are so many sizes and a proliferation of shapes of the various soft drink containers, in spite of government action. For example, the 10 oz. soft drink can now has about 80 per cent of that market and this has been increasing steadily, at least until the end of 1975.

The recommendations in the Waste Management Advisory Board report deal with a number of moves and steps and regulations which can be implemented to increase the distribution system, as I say, and make it more efficient. It talks about labelling. It talks about the availability of refillable containers. It requires a distinction to be made

between the price of the product and the deposit. It requires the payment of the refund by the retailers rather than their giving chewing gum, for example. It recommends an educational programme. It recommends more standardization to the point of the generic standard bottle. It talks about the co-operation of industry. It talks about the prohibition of the split bottle and, above all, it talks about the development, as I say, of an efficient recycling and distribution system.

I might refer for a brief moment to an extract from that report:

A policy for the transition from the present system of predominantly throwaway containers to one that is consistent with reduction of waste, conservation of energy and material resources, and will still provide the consumer with variety, convenience and economy must be flexible, carefully thought out and requires staged but firm progress toward environmental objectives.

The Waste Management Advisory Board report will be the basis of our policy. The recommendations and regulations we bring in will be pretty well born and the seed will be pretty well the report itself. That's not saying that we're going to implement necessarily every recommendation that is in that report. For example, the report doesn't deal or make a recommendation in respect to a deposit on a non-returnable container, nor does it question or suggest or make any reference to the question of some form of a tax. Such recommendation, in fact, has been made before in previous reports.

The first recommendation talks about mandatory availability and, again, by the storekeeper having sufficient refillables in certain brands of carbonated soft-drink containers as well as the non-refillable, in other words, so that the customer or the consumer has a complete and real choice. If he wants to buy a bottle of Seven-Up in a 26-oz. refillable container, that is available, if that retailer carries such a bottle in a non-refillable container. The idea is that at least 50 per cent or half of the retailer's stock is available in all brands and all shapes and sizes in a refillable container.

Then the report moves into the option between a conditional ban and a definite ban. The reason for that, I think if you read the report, the philosophy behind that, is basically in one word, "pressure." There is the regulation that says that within three years or five years, depending on whether it's by way of a vending machine, there no longer





will be a non-refillable container in the carbonated soft-drink industry.

But then it goes on to make a number of other recommendations. I think the board in its deliberations and its conclusions feels there is a great possibility that neither 2(a) or (b), neither the conditional nor definite ban, may be necessary if the other regulations do their job. If that system becomes efficient, if we do something about size and shape and there really is a recycling system with sufficient trips to make the whole system work and pay, it is no longer a waste disposal problem, an energy problem or a litter problem.

I think that is the philosophy behind the report. It allows industry time to modify the existing system, particularly in preparation for the greater number of empties that I'm sure will be circulated and will have to be handled as a result of the mandatory availability provision which I already mentioned. I think the report sets out a very comprehensive strategy to reduce the use of non-refillable containers and to improve the efficiency of the system by way of phasing in regulations, by way of a timetable over the next two or three years from which we can assess the results.

Then, as I say, if the can, for example, is really no longer a problem in that whole system, we don't ban the can for banning the can's sake. We ban the can because it is a waste problem, but not if there is an efficient system so that the use of the can is not a major use within the whole carbonated soft-drink industry, or if it is not a solid waste problem because there is recycling, because a plant in Hamilton by the name of T and T is part of a great recycling system in that that metal is reused and reused, resulting not only in the saving that I've mentioned but also providing more jobs.

That's what we will look at and monitor over the next two or three years. I might say, although the industry was very reluctant to fully co-operate during 1975, great strides were made when they knew what was going to be in this report, before the report was fully made available to the public. As a result, the industry has formed a committee made up of representatives from the Retail Council and the Ontario Soft Drink Association, and at a recent meeting of that committee with officials of my ministry and myself, the industry itself is recommending that there only be four standard sizes—a giant step for mankind—

Mr. Renwick: Oh no, Metro distributors are also going to decide what they are going to do.

Hon. Mr. Kerr: —and of these four sizes that they manufacture and market no more than three of these sizes for any given brand. Now seriously, that is a big step, because there are about 117 different sizes of all brands now in the province.

Mr. Breithaupt: The small size will be called "large"—

Mr. Renwick: When you first became the government there was only one.

Hon. Mr. Kerr: This is a good time to put on a slide show, but there is the situation at the present time in a store—

Mr. Cunningham: Exhibit A.

Hon. Mr. Kerr: —yes, Exhibit A—and this is what it can be. There is the difference. Can you imagine what that means to the handling and the cost of handling, and the shelf space and everything else?

Hon. Mr. Welch: Revolutionary. Revolutionary.

Mr. Deans: Do you know what that will do? Every department store will be open all hours.

Hon. B. Stephenson: You have a devious mind.

Hon. Mr. Kerr: That's another matter. We've settled that. That has been suggested not only by the soft-drink people but also by the—

Mr. Renwick: Reducing the number of sizes of the bottles cuts down on the number of jobs in itself.

Hon. B. Stephenson: No it doesn't.

Hon. Mr. Kerr: No, the recycling, as I have mentioned before, is labour intensive.

I'd like to refer very briefly, Mr. Speaker, to some of the remarks. I think the hon. member for Riverdale referred to a lot of things that were said by the hon. member for Windsor-Sandwich, because he was dealing with some of the resolutions that were made at their recent convention. He asked me questions about what are our solid waste management plans, what are we doing to encourage separation at source, what about our resource recovery programme, are we thinking about beer bottles and wine bottles and other types of containers in this type of legislation that we are proposing, and what about recycling generally.





I just want to very briefly mention that we have a resource recovery programme under way now that we have some pride in. I'm sure most members know about the experimental plant being constructed in North York at the present time. We now have a plan for what we call front-end plants which provides separation at source, separation of metal, bottles and paper, as well as the treatment of certain types of waste.

The "watts from waste" plant at Etobicoke, unfortunately, is not going ahead as fast as it should, but hopefully construction will start by the end of this year. That plant will be capable of processing about 1,200 tons per day and producing a refuse-derived fuel to be burned in existing boilers at Lakeview generating station. We've got SWARU in Hamilton, which we assisted by more funding. Tricel, in Kingston, is another reclamation plant as opposed to the ordinary sanitary landfill site programme. We've got three home separation schemes, pilot projects, under way at Burlington, Brampton and Lindsay. Those are the three problem areas, and one of the problems, of course, in developing municipal recycling depots is to find markets for tin, newspaper and bottles.

[1:15]

This is something that the government now has got into much more extensively because of problems of selling those products. Therefore, I think that we are in the whole picture of recycling and a waste resource management programme; this bill of course, is just one part of that programme.

I would like to conclude by talking briefly about some of the comments made last night by the hon. member for Hamilton East, the hon. member for Wentworth and, of course, the hon. member for Riverdale, in respect to employment. I think one of the reasons the Waste Management Advisory Board gave a lead-time of both three and five years in its report was that if we do ban the can, there is sufficient time for industry to adjust; here is sufficient lead-time to enable any workers who may be laid off as a result of a ban to obtain employment elsewhere.

As I mentioned before, I feel that the whole recycling programme can be labour-intensive. Certainly in Alberta and British Columbia it has provided employment for a number of people and a number of groups, such as Boy Scouts, retarded children and groups like that, who are operating these depots. I would suggest that employment can be provided in various ways. I feel that if we definitely make a commitment about looking after those people who may be affected

by a can ban, the industry will not act or react in a way we want it to in respect to the sale, distribution and marketing of non-refillable soft drink containers. Therefore, I think it is important that that pressure remain and that industry follow the regulations that will be implemented by us. As I said before, the question of a ban may not be that important two or three years from now. I suppose one could use the phrase "A ban if necessary but not necessarily a ban."

Mr. Deans: Did you make that up right on the spur of the moment?

Hon. Mr. Kerr: Right on the spur of the moment. Who said something like that? Oh, Mackenzie King. He was talking about cans too, I think.

Mr. Deans: That was very clever.

Hon. Mr. Kerr: The hon. member for Riverdale referred to the fact that we have had a meeting. It is my intention to provide notice of proposed regulations in respect to this subject to both opposition parties. There is no reason why that can't be done before those regulations are proclaimed. I would also be happy to circulate them to any group in the province who may be interested in those regulations; although it may be difficult to develop a mailing list, but I don't want to disrupt to any great extent the normal process of regulations being approved. There is no reason why the input and the recommendations of the opposition parties can't be part of those final regulations when they are tabled.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this bill is to go to the committee of the whole House. Is it agreed?

Agreed.

## CONCURRENCE IN SUPPLY

Resolutions for supply for the following ministries were concurred in by the House:

- Office of the Assembly;
- Ministry of Correctional Services;
- Ministry of Government Services;
- Office of the Provincial Auditor;
- Ministry of Housing;
- Ministry of Consumer and Commercial Relations;
- (Ministry of Transportation and Communications;
- Ministry of Agriculture and Food.





Hon. Mr. Welch moved that on Monday next the House meet at 10 a.m. and on each day until the House adjourns for the summer recess, and that the routine proceedings will be called at 2 p.m.

Hon. Mr. Welch: Mr. Speaker, before you put that question, I think the House might like some information as to the order. We will start committee of the whole House at 10 a.m. on Monday with Bill 81, followed by Bill 94 and then such other legislation as we have time for. It was under-

stood that the budget debate, to which reference was made last night, could be looked after during the lunch hour. Then we can start our regular session at 2 p.m., to be followed by estimates as the other parties have been advised.

Motion agreed to.

Hon. Mr. Welch moved the adjournment of the House.

Motion agreed to.

The House adjourned at 1:22 p.m.



# APPENDIX

(See page 3592)

Answers to questions were tabled as follows:

101. Mr. Duksza—Inquiry of the ministry:—1. Can the Minister of Health inform this House of (a) the numbers and location of the following specialized medical treatment units: nuclear medicine; hyperbaric chambers; brain scourers; heart transplant teams; other organ transplant teams; neurology operating rooms? (b) The cost of each of these units? (c) Their usage per day and per year? 2. Can the minister inform the House of the numbers of internists presently being trained, and their specialties? Is the ministry coordinating this training to match the health manpower needs of the province? 3. (a) What are the ministry's demographic projections for the future need of gerontologists? (b) How many trained gerontologists are there in the province? (c) How many gerontology interns are presently in training? (d) What is the ministry doing to develop gerontology training programmes?

Answer by the Minister of Health:

## 1 (a) The numbers and location of specialized medical treatment units:

Unit	Numbers	Locations
Nuclear medicine	50 (total)	Belleville — General Hospital
		Brantford — General Hospital
		Burlington — Joseph Brant Hospital
		Hamilton — McMaster Hospital
		— Civic Hospital
		— St. Joseph's Hospital
		Kingston — Hotel Dieu Hospital
		— General Hospital
		Kitchener — St. Mary's Hospital
		London — St. Joseph's Hospital
		— University Hospital
		— Victoria Hospital
		Mississauga — Mississauga Hospital
		Niagara Falls — Greater Niagara Hospital
		North Bay — St. Joseph's Hospital
		Oshawa — General Hospital
		Ottawa — General Hospital
		— Ottawa Civic
		Owen Sound — General Marine Hospital
		Peterborough — St. Joseph's Hospital
		— Civic Hospital
		St. Thomas — St. Thomas — Elgin
		Sarnia — General Hospital
		— St. Joseph's
		Sault Ste. Marie — Plummer Hospital
		Stratford — General Hospital
		Sudbury — General Hospital
		Thunder Bay — McKeller Hospital
		— St. Joseph's Hospital
		Timmins — St. Mary's Hospital
		Toronto — Hospital for Sick Children
		— New Mount Sinai Hospital
		— Northwestern Hospital
		— North York Branson Hospital
		— North York General Hospital
		— Princess Margaret Hospital
		— St. Joseph's Hospital
		— St. Michael's Hospital
		— Scarborough Centenary Hospital
		— Sunnyside Hospital
		— The Doctors Hospital





Unit	Numbers	Locations	
			<ul style="list-style-type: none"> <li>— East General Hospital</li> <li>— Toronto General Hospital</li> <li>— Western Hospital</li> <li>— Wellesley Hospital</li> <li>— Women's College Hospital</li> <li>— York Finch Hospital</li> </ul>
		Welland	— County General Hospital
		Windsor	— Metropolitan Hospital
			— Salvation Army Grace
			— Public General Hospital
			— Public Hospital
			— Notre Dame Hospital
			— Lake of the Woods
			District Hospital
			— Trafalgar Memorial Hospital
			— General Hospital
			— Middlesex General Hospital
			— General Hospital of
			Port Arthur
		Toronto	— Etobicoke General Hospital
			— Scarborough Centennary
			Hospital
			— Western Hospital
		Windsor	— Hotel Dieu of St. Joseph's
			Hospital
		Tobermory	— Tobermory Medical Centre
		Toronto	— Toronto General Hospital
			— Downsview Armed
			Forces Base
		Toronto	— Toronto General Hospital
			— St. Michael's Hospital
		Hamilton	— Hamilton Civic Hospital
		Ottawa	— Ottawa General Hospital
		Toronto	— St. Michael's Hospital
		London	— Victoria Hospital
Hyperbaric chambers	3 (total)		
Brain scanners	4 (total)		
Heart transplant teams	2 (total)		
Other organ transplant teams			
(i) Corneal transplant team	unknown		
(ii) Kidney transplant teams	10 (total)		
		London	<ul style="list-style-type: none"> <li>— University Hospital</li> <li>— Victoria Hospital</li> </ul>
		Hamilton	— St. Joseph's Hospital
		Toronto	<ul style="list-style-type: none"> <li>— Toronto General Hospital</li> <li>— Hospital for Sick Children</li> <li>— St. Michael's Hospital</li> <li>— Toronto Western Hospital</li> </ul>
		Kingston	— Kingston General Hospital
		Ottawa	<ul style="list-style-type: none"> <li>— Ottawa General Hospital</li> <li>— Ottawa Civic Hospital</li> </ul>
		Hamilton	<ul style="list-style-type: none"> <li>— Hamilton Civic Hospital</li> <li>— St. Joseph's Hospital</li> </ul>
		Kitchener	— Kitchener-Waterloo General
		London	<ul style="list-style-type: none"> <li>— Victoria Hospital</li> <li>— University Hospital</li> </ul>
		Ottawa	<ul style="list-style-type: none"> <li>— Ottawa Civic Hospital</li> <li>— Ottawa General Hospital</li> </ul>
		St. Catharines	— General Hospital
		Thunder Bay	— McKellar Hospital
		Toronto	<ul style="list-style-type: none"> <li>— Humber Memorial Hospital</li> <li>— Hospital for Sick Children</li> <li>— Mount Sinai Hospital</li> </ul>
Neurosurgery units*	20 (total)		





Unit	Numbers	Locations
		<ul style="list-style-type: none"> <li>— St. Michael's Hospital</li> <li>— Scarborough General Hospital</li> <li>— Sunnybrook Hospital</li> <li>— Toronto General Hospital</li> <li>— Western Hospital</li> <li>— Wellesley Hospital</li> </ul>
		Windsor <ul style="list-style-type: none"> <li>— Hotel Dieu</li> <li>— Western I.O.D.E.</li> </ul>

\* Hospitals with over 100 surgical procedures/annum are listed, and the list does not necessarily represent separate units.

(b) The cost of each of these units:

Operating cost figures are not available within the Ministry of Health and can only be identified by approaching each individual hospital with special care units and asking for an estimate. This would take up to four to six weeks. It would be a time-consuming operation both for ministry staff and for the hospitals concerned.

(c) Usage per day and per year (1974-1975):

The case load per year for each of these special units, where it is available, is listed below. The usage per day for most special units is not directly available from the Ministry of Health and collection of this information would require an extensive canvass of each hospital. The usage per day for brain scanners however is partially available and is listed, but unless a hospital keeps a separate register for brain scans, is not available on a per annum basis.

Unit	Location	Caseload	
		Day	Year
Hyperbaric chambers	Tobermory		—
	Toronto General		10
	Downsview Armed Forces Base		—
Brain scanners	Toronto General	16-17	3585
	Toronto — St. Michael's		—
	Hamilton — Civic	12-14	—
	Ottawa — General	10	—
Heart transplant teams	Toronto — St. Michael's		1
	London — Victoria		1

Number of nuclear medicine examinations or treatments (as reported in the 1975 Annual Return of Hospitals):

Hospital	No. of examinations or treatments	
	Diagnostic	Therapeutic
Belleville General	6,906	27
Brantford General	10,480	—
Burlington Joseph Brant	4,594	—
Chatham Public General	1,513	—
Clinton Public	231	—
Hamilton Civic	21,473	—
Hamilton McMaster	3,547	—
Hamilton St. Joseph's	3,284	82
Hearst Notre-Dame	N/A	—
Kenora Lake of Woods	4,886	—
Kingston General	3,109	—
Kingston Hotel Dieu	689	—
Kitchener St. Mary's	15,903	67
London St. Joseph's	40,456	37
London University	N/A	—
London Victoria	N/A	—
Mississauga	5,658	—
Niagara Falls Gr. Niagara	3,547	—
North Bay St. Joseph's	2,458	16
Oakville Trafalgar	2,753	—



Hospital	No. of examinations or treatments	
	Diagnostic	Therapeutic
Oshawa General	11,874	—
Ottawa General	4,117	50
Ottawa Civic	3,737	112
Owen Sound General Marine	3,633	—
Peterborough Civic	1,789	—
Peterborough St. Joseph	819	—
St. Catharines, The Gen.	7,394	45
St. Thomas-Elgin	2,096	—
Sarnia St. Joseph's	1,596	—
Sarnia General	9,935	—
Sault Ste Marie Plummer	13,398	17
Stratford General	813	—
Strathroy Middlesex	1,422	—
Sudbury General	8,069	—
Thunder Bay McKellar	7,694	21
Thunder Bay Pt A Gen	46	—
Thunder Bay St. Jos	1,720	—
Timmins St. Mary's	2,148	—
Toronto Mt. Sinai	7,025	34
Toronto Northwestern	681	4
Toronto NY Branson	8,253	—
Toronto NY General	7,684	94
Toronto Princess Mar	4,873	39
Toronto Queensway	3,251	—
Toronto St. Joseph's	4,968	—
Toronto Scarb. General	8,829	—
Toronto Sunnybrook	41,630	5,320
Toronto The Doctors	1,609	—
Toronto St. Michael's	25,802	111
Toronto Wellesley	9,082	—
Toronto Women's College	15,026	—
Toronto York Finch	6,694	80
Toronto General	29,089	150
Toronto Western	N/A	—
Toronto East General	1,283	—
Toronto Sick Children	4,499	—
Toronto Scarb. Cent.	2,342	107
Toronto Etobicoke Gen.	15,837	—
Welland County Gen.	617	—
Windsor Hotel Dieu	3,617	—
Windsor Metropolitan	10,367	44
Windsor Sal A Grace	6,807	—
	433,655	6,457

Unit	Location	Caseload	
		Day	Year
Corneal transplant teams	Not known		225
Kidney transplant teams	London	— University	14
		— Victoria	0
	Hamilton	— St. Joseph's	9
		— General	18
	Toronto	— H.S.C.	11
		— St. Michael's	18
		— Western	16
		— General	3
	Kingston	— General	7
	Ottawa	— Civic	4
			100





Unit	Location	Caseload	
		Day	Year
Neurosurgical units	Hamilton	— Civic	484
		— St. Joseph's	170
	Kitchener	— Waterloo General	118
		London	— Victoria
	— University		299
	Ottawa	— Civic	367
		— General	246
	St. Catharines	— General	118
	Thunder Bay	— McKellar	129
	Toronto	— Humber Memorial	129
		— Hospital for Sick Children	704
		— Mt. Sinai	153
		— St. Michael's	412
		— Scarborough General	213
		— Sunnybrook	222
		— Toronto General	526
		— Western	314
		— Wellesley	297
	Windsor	— Hotel Dieu	224
		— Western I.O.D.E.	166
		<hr/>	
		5793	

2. (a) The numbers of internists presently being trained and their specialties:

In 1974-1975 the total enrollment was 512 and the output was 94.

The breakdown into specialties is taken from the "Boone Report", Internal Medicine Study Group Report to the Postgraduate Manpower Committee of the Council of Ontario Faculties of Medicine, 1976, and is attached.

March 5, 1975

#### Present status of size and output of university training programmes

##### A. Present Size (1974-1975)

	Present Intake					Total
	McMaster	Ottawa	Queen's	Toronto	Western	
General Internists	37	41	24	181	51	334
Subspecialties						
Allergy and immunology	1	—	1	4	—	6
Cardiology	1	4	2	12	4	23
Chest	8	—	—	8	2	18
Dermatology	—	2	—	12	—	14
		(McGill)				
Endocrinology	—	1	1	8	3	13
Gastroenterology	2	4	4	7	3	20
Geriatrics	—	—	—	—	—	—
Haematology	5	1	2	8	—	16
Infectious diseases	—	—	—	3	—	3
Nephrology	—	3	1	8	2	14
Neurology	3	8	2	17	—	30
Oncology	—	—	—	6	—	6
Rheumatology	1	—	2	10	2	15
Nuclear medicine	—	—	—	—	—	—
Clinical pharmacology	—	—	—	—	—	—
Sub-total	58	64	39	284	67	512





Training provided to other services						
Therapeutic radiology	—	—	1	—	—	1
Obstetrics and gynaecology	—	—	1	2	—	3
Surgery	—	—	1	—	—	1
Family practice	—	4	5	—	—	9
Physical medicine and rehabilitation	6	—	—	—	—	6
Other disciplines	8	3	—	9	—	20
	(mixed Int.)					
Total	72	71	47	295	67	552

Revised February 28, 1975

Present status of size and output of university training programmes

	B Output (1974-1975)					
	McMaster	Ottawa	Queen's	Toronto	Western	Total
General Internists	6	2	1	3	6	18
Subspecialties						
Allergy and immunology				2	1	3
Cardiology		3		6		9
Chest	1			4		5
Dermatology		1		5		6
Endocrinology		1		4		5
Gastroenterology		2	3	5		10
Geriatrics						—
Haematology	1	1	1	6		9
Infectious diseases				2		2
Nephrology		2	1	4		7
Neurology		1	1	8	2	12
Oncology				3		3
Rheumatology				5		5
Nuclear medicine						—
Clinical pharmacology						—
Total	8	13	7	57	9	94

2. (b) Co-ordination of training to match manpower needs:

The ministry has established overall guidelines with reference to the total number of positions in the province (1/585 of the population). Of that total, the proportion of doctors with specialty certification from the Royal College of Physicians and Surgeons is to be 45 per cent. Within these guidelines, the ministry has assigned to the Council of Ontario Faculties of Medicine the responsibility for advising it on the proportion of the educational output to be devoted to each specialty.

3. The demographic projections for the future need of gerontologists, the number of trained gerontologists in Ontario, and the number of interns presently in training:

Gerontology is a broad term embracing other than the strictly medical aspects of aging. Geriatrics is the medical specialty.

For geriatricians:

(a) Future need—

A reasonable ratio of geriatricians per population would be approximately 1 to 200,000. Therefore, Ontario with a population of 8,000,000 would require approximately 40 geriatricians.

The consultant geriatrician's role is mainly to coordinate programmes, usually in the department of medicine of a university. The actual delivery of geriatric care is done mostly by general practitioners and internists.

(b) Present number—

There are approximately 10 geriatricians in the Province of Ontario.



(c) Number of interns in training—

The training of doctors in the delivery of geriatric care takes place to some extent in the departments of family practice in each of the five universities in Ontario, and also in certain rehabilitation centres as part of a rotating internship. The total number involved would probably be less than 100.

For gerontologists:

(a) A gerontologist is usually a social scientist, not a physician, who is involved in research and teaching rather than delivering a direct service. For example, at Queen's University there is one gerontologist engaged in studying the organization of programs for the elderly. At Hamilton, there is one gerontologist doing basic research on cell biology as it relates to aging. An estimate of demographic projections for the future need of gerontologists is not available at this point in time.

(b) There is an Association of Gerontology in Ontario which has approximately 400 registered members. These are mostly physicians who are interested in gerontology as it relates to their geriatric practice.

The actual number of trained gerontologists in the province would be probably less than 20.

(c) There is no ongoing training for gerontologists. They usually evolve from the social scientists who then direct their interests to research in the field of gerontology.

108. Mr. Duksza—Inquiry of the ministry:—1. What facilities are being developed to fulfil Ontario's responsibilities under the new federal infectious disease control legislation, to deal with diseases (including Lassa fever and other arena viruses, airborne infectious diseases such as influenza and the plague) entering Ontario as a result of the Olympic games? 2. What plans has the ministry for screening high-risk populations and animal sampling to test for outbreaks of disease? 3. Is the ministry stockpiling serum supplies used to test for Lassa fever? 4. Is the ministry immunizing health personnel against a series of unusual and exotic diseases which may enter the province with the Olympic competitors and spectators? 5. Have physicians been informed of the symptomatology and zoitology of diseases that may enter the province? 6. What estimates is the ministry preparing of the probability of entrance to Ontario of unusual non-native diseases?

Answer by the Minister of Health:

1. Negotiations are under way with the Deputy Minister of National Defence concerning use of the National Defence Medical Centre, Ottawa for highly infectious diseases which may enter the province.

2. There are no plans for screening high-risk populations and for animal sampling. International health regulations of the World Health Organization apply to all persons entering Canada and the health of animals is the responsibility of the federal government.

3. The ministry is not stockpiling testing supplies for Lassa fever as the Centre for Disease Control in Atlanta, Ga., has agreed to carry out tests for Lassa fever as required. However, it is expected that our Central Public Health Laboratory will be able to take over this function in the near future.

4. There is no immunization programme for health personnel which this ministry is conducting for the Olympic Games. This was reviewed by the ministry and a decision was made that a ministry sponsored immunization programme for health personnel will not be conducted due to the relatively small numbers of both participants and spectators expected in Ontario for the Olympic events.

5. Physicians were informed in an article in the Ontario Medical Review, May, 1976, on the testing and diagnosis of St. Louis encephalitis. Medical officers of health have been alerted to the symptomatology of Lassa fever and the following documents have been distributed:

(a) Canadian Quarantine Contingency Plan, February, 1975.

(b) Canadian Contingency Plan, Supplement on Lassa Fever, April, 1975.

(c) Recommendations, Ontario Emergency Communicable Disease Control Measures, February, 1976.

6. The ministry is not preparing any estimates of the probability of entrance to Ontario of unusual non-native diseases because the risks are not considered any greater this year than during any normal summer tourist season.





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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

---

Monday, June 21, 1976

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

MONDAY, JUNE 21, 1976

The House met at 10 a.m.

Prayers.

**Hon. Mr. Welch:** Mr. Speaker, it is my understanding that we will have regular proceedings at 2 o'clock. Therefore, this morning I would begin with the second order.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The second order, House in committee of the whole.

## ENVIRONMENTAL PROTECTION AMENDMENT ACT

House in committee on Bill 81, An Act to amend the Environmental Protection Act, 1971.

**Mr. Deputy Chairman:** Are there any comments, questions or amendments to any section and, if so, to which section?

**Mr. Renwick:** Mr. Chairman, I gave notice on Friday last, when I spoke on the second reading of this bill just before the adjournment on Friday, that I intended to move an amendment which was consistent with the decision and direction given by the convention of the New Democratic Party 10 days ago as to what position the caucus should be on this question.

Mr. Renwick moved that clause (c) of section 1 of Bill 81 be amended by adding thereto the following:

(ea) providing a schedule for the regulation and the prohibition within five years of the use, offering for sale or sale in Ontario of non-refillable or non-returnable containers for any beverage.

Mr. Renwick further moved that section 1 of Bill 81 be amended by adding thereto subsection 2 as follows:

(2) The regulations made under clause (ea) of subsection 1 shall be filed pursuant to the Regulations Act not later than July 1, 1977.

**Mr. Deputy Chairman:** Inasmuch as the second part of this amendment deals with subsection 2, perhaps we should deal with

these individually, or is it the wish of the committee that we deal with them collectively?

**Mr. Renwick:** The addition is simply to add a subsection 2 to section 1 and is an integral part of the first portion of the motion which I moved. I would, therefore, suggest that we put the whole matter as a single entity.

**Mr. Breithaupt:** Mr. Chairman, that is satisfactory to us.

Agreed.

**Mr. Deputy Chairman:** Does the hon. member for Riverdale wish to speak further?

**Mr. Renwick:** Not at this moment, Mr. Chairman.

**Mr. Deputy Chairman:** The hon. member for Hamilton West.

**Mr. S. Smith:** I feel the amendment before us is one which our party cannot support and not only that, the amendment in fact is a demonstration of why it is that the party seated to our right, the New Democratic Party, can never govern the Province of Ontario.

I think you are aware, Mr. Chairman, as is everyone else, that the New Democratic Party won 38 seats in this Legislature. They did so on the basis of a programme which was presented to the people of Ontario. They proudly trumpeted the fact that they were the party that raised issues and presented solutions. I have here in front of me a part of that programme headed, correctly enough, "Programme." There are a number of things written there. One of them says "An NDP government would phase out over a maximum of two years all non-refillable soft drink containers." We are now told that all that is simply to be considered inoperative.

**Hon. W. Newman:** That's another flip-flop.

**Mr. S. Smith:** We in this party made a number of procedural changes of mind earlier in this session in order to accommodate the people of Ontario but never have we gone back on the platform that we sought votes on before the people of Ontario in the last election.



We are told that they have had a convention since then, that it has been drawn to their attention that many jobs are in jeopardy. We worry about that too and the Minister of the Environment (Mr. Kerr) made clear that he worries about it as well. We all do. But does that mean we are to read every bit of this programme with various provisos added such as, if we hear from unions in the meantime we may have to drop these parts from our programme?

On that same sheet of paper where they point out the need for a land-use programme, are we to assume that that's naturally dependent on the fact that there will be no representations in the meantime from some farmers who oppose it?

When we read that they want to oppose the Maple Mountain ski resort complex, are we to assume that naturally that opposition depends on no more representations coming forward from various unionized Maple Mountain workers who might oppose that as well?

When we read that the Pits and Quarries Control Act will be enforced in a different manner, are we to presume that the NDP means they will only enforce it, provided they don't hear from pits and quarries union people in the meantime, telling them that they mustn't continue to oppose it?

What in their programme is to be believed and what are we to say is dependent upon getting the word from the union bosses? That is the question and that is why this party, which is fundamentally divided between a labour party, a socialist party and a liberal party, can never govern. That is why the member for Parkdale (Mr. Duksza) can stand in this House and say that doctors should all be on salaries and the member for Durham West (Mr. Godfrey) can stand and say that doctors should be paid on a fee-for-service basis. The member for Durham West must be in a very difficult position. I can understand why he might not be here this morning. He was drawn into that party because of their environmentalist stand among other things and he finds himself having to deal with the socialist views of the member for Parkdale and the labour union trumpetings which are now being presented by the member for Riverdale.

**Mr. Deputy Chairman:** I wonder if the hon. member would return to the crux of the amendment.

**An hon. member:** How about him starting?

**Mr. S. Smith:** It is the amendment, Mr. Chairman.

**Mr. Ruston:** He is right on the amendment to the bill.

**Mr. S. Smith:** The amendment is a five-year hoist. The member for Durham West, Mr. Chairman, I remind you, stood in this House and berated the government for a six-year delay in bringing forward something to do on the business of non-refillable non-returnables. I will tell you after watching the government's delays and listening to this party, I have come to the conclusions that the 38 seats they are sitting in are non-refillable and the government is non-returnable.

**Interjections.**

**Mr. S. Smith:** It is rare for me to have to agree with any member on the government side but let me say to you, Mr. Chairman, that the point made by the member for St. Andrew-St. Patrick (Mr. Grossman) when he rose in this House some time ago was a very good one. He suggested that there are tough decisions to be made, that when it comes to a question of whether you run Spadina through the neighbourhoods of Toronto, thereby creating employment, or allow this present 28 per cent unemployment in the construction and road building industry to continue, sometimes you have to make a decision that opposes the interests of those who legitimately require jobs and work.

It's this very party, the New Democratic Party, that goes about the province pointing out over and over again how adjustments are possible in this economy, how technology advances, how we all have to adjust and how businesses that complain that they need money from the government to help them adjust are just crying wolf. It is this very party that is always telling us how adjustable people are. They are all adjustable apparently except for some of the union bosses who support the NDP.

We in the Liberal Party feel that we have to come to terms with the planet we are living on. Surely the time has come that we have to recognize the finiteness of the resources of this planet. Surely we have to recognize that pollution cannot just continue and continue, that psychological change has to occur. We have this famous garbage gamble I keep hearing about and in which members of both other parties seem to be very interested. The gamble seems to be whether or not the garbage in the NDP programme is to be believed. The fact is that tough decisions do have to be made. This province cannot elect the government



that is unable to make the tough decisions. We have already waited six years.

[10:15]

I know there are problems in the jobs in the glass industry and in the can industry, and we are not suggesting that cans be banned outright immediately. We are suggesting that non-refillable bottles certainly should be, and we agree with the task force that presented an excellent report to the Minister of the Environment. We see no reason to deviate from that particular report and we believe that the Minister of the Environment has given assurances to this House that he will implement, by means of regulation, the aspects of the task force report that are worthy of implementation.

Where are we to start? Where are we to draw the line, Mr. Chairman? Are we simply to continue to assume that the NDP programme is aimed at some distant utopia whenever, in fact, it comes into conflict with the labour unions as they presently exist? Does everything the NDP stand for suddenly get pushed off to the 21st century because of the need for job retraining in the 20th century?

The fact is that the interests of various groups in this province are naturally going to be opposed to the interests of other groups. Life is too complicated for it to be otherwise. If you try to improve the environment you probably work against the interest of an industrialist. If you try and improve the life of some farmers you work against the interests of a proper land-use policy. There are always going to be conflicts and a tough government isn't always going to have somebody else call the tune.

They are not going to have the big industries call the tune or the big labour unions call the tune. It's going to be the needs of the people of this country, of this province, of this planet that will come first. This is a shocking climb-down by the NDP. They are fortunate indeed that we are having a morning meeting today because the press gallery is absent.

**Mr. Deans:** Oh shame.

**Mr. S. Smith:** But the fact is that this is the first major flip-flop we've seen. We know that the NDP programme also contains free university education and we know how they soft-pedal that one as well, because they know perfectly well that that would be again a subsidy for the well-to-do in our society since the poor don't even get to the gates of the universities or consider getting in. So they push that one to the background as well.

The fact is, the task force is clear. They have studied the matter. It is going to be difficult. We must have retraining. We must have, to some extent, a programme which will help create employment in this province, but you know whenever it is suggested that the small businessmen of this province should be given some assistance so that they can provide the employment that is desired it is the NDP that stands up and opposes them.

It's the NDP that say you don't increase any form of taxes except corporation tax. That's the only one they know how to increase. How is that going to create employment? How is that going to help people retrain for other jobs?

It's the NDP that would not stand up to any hospital workers at all in the Province of Ontario and say to them, "Yes, under an NDP government you, too, might lose your job, because the fact is we have to cut expenditures." I have not heard the NDP speak to any employee of the government or of any other group in society to say "You would lose your job if an NDP government were to come around." They can simply continue to spend and spend and spend. They would continue to protect and protect and the fact is that the province has to make tough decisions—

**Mr. Renwick:** That is the one correct statement you have made this morning.

**Mr. S. Smith:** —and that is what government is about, and that is what this party has just climbed down from in the most shameful way that I have seen in my short parliamentary career here. I want to tell you that the Liberals are committed to a change in this whole philosophy of over-packaging that we have, these fancy bottles, these fancy containers.

We want to come to grips with this planet and this would be a tremendous psychological move in the right direction, and we hope that the minister will, in fact, apply the regulations that he will be able to make under the provisions of this bill in the way in which all of us would like. We understand he's given an undertaking to bring those regulations before us before their application, and we appreciate that and we think that's how minority government should operate.

I draw my remarks to a close, Mr. Chairman, and simply say this: The people of Ontario are prepared to move in the direction of conservation, of protection of the environment, of coming to terms with this planet, of making the tough decisions that have to be made to make sure that our way of life can survive in a way that we would all like it to.



We in the Liberal Party are not in any way being dictated to by the big industries and the big unions. We are responding to the voice of the people. I want to promise you, Mr. Chairman, when something appears in the Liberal Party platform, we are going to be prepared to stand by it.

**Hon. Mr. Kerr:** We really don't have any objection to the two amendments that have been submitted by the hon. member for Riverdale. As far as the first amendment is concerned, adding clause (ea), we feel really that it could be considered redundant. If the hon. members would refer to the existing clause (e), which would be just before the proposed subsection, it does give the minister and the government quite extensive powers in "requiring, regulating and prohibiting the use, offering for sale or sale in Ontario of any packaging or container, or any material or combination of materials used as packaging or a container." That is quite a broad section covering all types of containers that would be defined in the bill.

The amendment reads that there will be a schedule for the regulation and the prohibition within five years. That phrase, within five years, is important. I would suggest that that clause combined with the new subsection 2 would indicate that at the latest after one year from about this point we could bring in regulations and provide a schedule as provided in the proposed new subsection.

Again we have no objection to the new subsection 2. As a matter of fact, it is a provision requiring the government to meet a deadline, something that really doesn't exist in the bill now. In my opinion, the deadline is a reasonable one and one that we can support. With those words, we have no objections to these amendments.

**Mr. Renwick:** I'm delighted that the government has seen fit to support the very realistic amendment which we've put forward. I may say that the basic reason for putting forward the amendment was to give some sense of structure to a programme by the government which would give some assurance to the people in Ontario that there was going to be a phase-out of the non-returnable containers for any beverage in the province.

I think it was important that that be done when one considers the bylaws which were being passed and the private bills, one of which was submitted and others that certainly have been forthcoming, to provide on a very local basis for the ban of non-return-

able containers and non-refillable containers. It did seem to us that any realistic assessment of the problem required that it be dealt with on a province-wide basis. We were very concerned, not so much in the good faith of the minister or of the ministry, about its intentions. We were concerned, however, that there be a visible sign of a structural scheme to be put forward for public discussion and then, in due course, filed as regulations under the Regulations Act showing how this will be carried out, not only from the point of view of those who have significant environmental concerns, but for those who have significant job concerns. It does seem to us that this is the kind of situation in which, without a clear framework under which this phase-out is going to take place, you would otherwise not be seen to be fair to either of the two groups which are very much concerned. Without drawing it in a very black and white sense, I think it's fair to say that those who have a basic interest in the job component of the problem, also have very real and distinct environmental concerns as well. I am quite certain that those of us who have real environmental concerns about these matters have very real concerns about the job security part of it.

Therefore, without elaborating further, we think that this method will provide a public forum for a discussion of the schedule and the programme to be put forward by the government by way of these regulations to make certain that it is fair and equitable and recognizes the diverse interests which are concerned in this bill.

We are, therefore, very pleased that the government has seen fit to support this amendment. We think it is worthwhile and we have a feeling it will be applauded by the people of the Province of Ontario.

**Mr. S. Smith:** Mr. Chairman, may I ask the member for Riverdale to speak to a particular point? Is it his intention in this amendment, and does he feel the wording accomplishes that, to simply say that at some point within five years, a schedule could be provided and a schedule could read in any way whatsoever, even that it starts tomorrow or the day after tomorrow, or does he mean that it must be phased over five years? Because his amendment as written now does not indicate that it must be phased-in over a period of not less than five years. In fact, the way it is written, it could happen tomorrow and the day after tomorrow.

Could he speak to that point?



**Mr. Renwick:** Mr. Chairman, I welcome the opportunity to speak to the point. I think the language is as clear as it is possible for us to make it. We want to provide a schedule for the regulation and the prohibition within five years.

**Mr. S. Smith:** Tomorrow or the next day?

**Mr. Renwick:** I tend to try to be realistic about political problems. I think that a planned schedule is contemplated, whereby at the end of a five-year period there will be an end to non-refillable and non-returnable containers for beverages in the Province of Ontario. And if, as part of the development of that programme by the government—and it is a governmental role to develop the programme—the regulations are filed not later than a year from now, and if in the meantime there is adequate public discussion and consideration which the minister gave us in the sense of assurance that that would be so when we met with him to discuss this bill, then we think that the five years is the end of the period of time during which this programme will be worked out. We are always essentially reasonable about these matters. I think the wording of this amendment adequately reflects the intention of this party with respect to the solution of this problem.

**Mr. S. Smith:** With respect, Mr. Chairman, I listened to the debate with interest, as I am sure you did, over all of Friday. A good part of that time was spent saying that we must delay this matter so that the phase-in occurs over not less than five years in order to protect jobs.

Let us be clear, Mr. Chairman, whether this amendment is instructing the minister to phase this in over not less than five years, because that is the time that the NDP thinks it will take to protect the jobs, or whether the five years is just being written in as some type of a deadline and that it could be done in six months. I really think we must be clear on what it is this amendment is doing.

Does the member for Riverdale accept, Mr. Chairman, that the way this amendment is written now means that the minister could introduce it tomorrow, as long as it is within the five-year period—that it doesn't have to be delayed so that the phase-in takes place over the five-year transition period, as requested by the convention of the New Democratic Party?

**Mr. Renwick:** Mr. Chairman, I don't think there is any need to elaborate longer on the meaning of the English language in the poli-

tical context that we are speaking about. I am satisfied from the discussions which—

**Mr. Breithaupt:** Five years if necessary, but not necessarily five years.

**Mr. Renwick:** —we had with the minister about this problem, that we are thinking about the same problem; and that is that it will require a significant time span, which we believe to be a five-year period, for such a programme to be implemented and carried out equitably and fairly, having regard to the diverse aspects of the interests of the persons who are concerned.

[10:30]

I am fortunate that we are not having to persuade you as the government as to what the meaning of it is. The minister understands, and we are in complete agreement with the minister, as to what the course of action will be over the next several months as this amendment is implemented. I am quite happy to have the government carry out the intention as reflected in the language of this amendment.

**Mr. S. Smith:** Is that right? You are going to delay it for five years?

**Hon. Mr. Kerr:** There may be some confusion here. As the hon. member for Riverdale has said, referring particularly to the report of the Waste Management Advisory Board, it takes time to implement a programme, particularly an efficient programme dealing with the distribution and the redistribution of soft drink containers and other types of containers. The waste management report indicates in one of its recommendations that within three years regulations should be drafted. In one instance they recommend they be filed; in the other instance they recommend they not be filed. They use the time space of three years for non-returnable containers and then they refer to the period of five years, I believe, for those types of non-returnable containers that may be sold and dispensed via vending machines.

I have to disagree with the hon. member for Riverdale if he is saying, as suggested by the hon. member for Hamilton West, that the phrase means not less than five years. I am quite sure that within a framework of that period the intent and purpose of that sub-amendment will be in effect, but certainly the government does not want to be held to a period of five years from today or from July 1, 1977. As I say, by drafting regulations, by phasing in regulations and by having those regulations perused by the opposition and other public groups which may be



interested in this whole subject matter, it will take some time.

The hon. member for Hamilton West is correct when he is saying that probably tomorrow or a year from tomorrow I could phase out or prohibit the use or offering for sale of non-refillable or non-returnable containers for any beverage. However, that flexibility must exist. The whole intent of this legislation, as the hon. members are aware now, is to give the government a certain amount of flexibility so that the strategy behind the waste management report can be implemented and the regulations can be phased in. I think that it should be made clear that the phrase does not tie the hands of the government for a five-year period.

**Mr. S. Smith:** If that's the case, may I ask what the purpose is of adding these words at all to the bill? If the words "five years" are not in fact indicating to the minister that he should delay for five years—and I agree with him, he shouldn't—and if they are not saying that five years is the limit by which he must have acted, if he in fact intends to act immediately, then what do we need the whole amendment for at all? Could the member for Riverdale explain whether it is anything other than just a lot of fancy words, including the words "five years" somewhere in there, so as to please his labour union friends? Is there any other meaning to the bill? If it is not going to stay the hand of the government, and it is not going to provide a deadline, what is the point of it?

**Mr. Renwick:** In response to the minister, this clause does read exactly as it is stated in the amendment which is proposed. The purpose of the bill is to provide for a grant of regulatory power to the minister to make regulations providing a schedule for the regulation and the prohibition within five years of the use, offering for sale or sale in Ontario of non-refillable or non-returnable containers for any beverage.

It is my anticipation that in the light of this amendment, some time during the next year you will provide draft regulations which will be for the purpose of establishing that schedule. And that schedule will provide the method by which at the end of a five-year period—namely in 1982, if they are filed on July 1, 1977—the problem of the non-returnable, non-refillable container for beverages in Ontario will have been solved. That is the intention of the proposal as we put it forward.

**Mr. S. Smith:** A deadline, in other words.

**Mr. Renwick:** I was certain that you had understood that in discussions which we had

and I certainly believe that it is consistent with what the convention of this party decided at its convention 10 days ago.

**Mr. S. Smith:** How can the member for Wentworth (Mr. Deans) keep a straight face on this one?

**Mr. Renwick:** This is the purpose of this amendment.

**Mr. Breithaupt:** Mr. Chairman, I would then simply ask that as a result of the amendment, I presume that the prohibition may not be necessary to have this five-year time in the amendment. It would seem that we are not necessarily producing an amendment which will prohibit these bottles within five years. So it is a situation like that old MacKenzie King phrase, "Prohibition within five years, but not necessarily prohibition within five years"—depending upon which way you want to read it.

**Mr. Renwick:** Mr. Chairman, may I make a suggestion to my friends on the left; if they wish to move a sub-amendment under the rules of the House, they are permitted to do so. I would suggest they move their sub-amendment and then we'll go ahead with the business of the House.

**Mr. S. Smith:** Mr. Chairman, as you see very well, what we are talking about here could be construed by some as an effort to confuse and to posture without in fact affecting the legislation at all. If we have an amendment brought before this House, I suspect it is a reasonable thing to ask that it be a clear amendment as to what is going on.

When one mentions five years, Mr. Chairman, surely one is either setting a deadline by which these things must be in place—and if it's in place tomorrow, then it is quite acceptable, because that's within five years—or, if one is not setting a deadline, one is setting a limit "not less than" which must be adhered to before the legislation is in place. It's one or the other. Otherwise, there is no point in mentioning years at all.

The member for Riverdale refuses to stand in this House and speak like an honest person would do—

**Mr. Deputy Chairman:** Order, please!

**Mr. S. Smith:** I take that back; I withdraw that.

He refuses to stand up and speak in a clear, straightforward manner on this subject. It's very simple. Is the five-year period in this amendment supposed to mean it is to be implemented within five years—at any time with-

in five years—or is it supposed to mean that the final enforcement must not take place until the five years are up?

That is the question. We are entitled, as representatives who have to vote on this amendment, to understand what the minister understands by it and to understand what the mover understands by it; despite the fact that they've had some private conversations which each of them seems to understand differently anyhow.

**Mr. Kerrio:** That is the way the bill is drawn.

**Mr. Deputy Chairman:** Is there any further discussion on the amendment?

**Mr. Renwick:** I think so, Mr. Chairman; very briefly.

The purpose of the amendment is that at the end of the five-year period—which would commence on July 1, 1977, when the filing of the regulations would take place—at the end of that period, the programme of the government would be such that there would be no non-refillable and non-returnable containers for any beverage in Ontario.

**Mr. S. Smith:** Is it okay if it happens sooner? That's what I want to know. That's the question.

**Mr. Renwick:** If you want it sooner, move your amendment.

**Mr. S. Smith:** Does this amendment allow it to happen sooner? That's what I want to know.

**Mr. Renwick:** May I perhaps try to help the member for Hamilton West?

**Mr. S. Smith:** Does the amendment allow it to happen sooner? That's the question. Does the minister understand it is to happen sooner?

**Mr. Renwick:** The policy of the New Democratic Party is that with the objective of eliminating the use of all non-returnable beverage containers in five years, the NDP would initiate a five-year phase-out.

The government has brought forward a bill granting enabling power to itself through regulations which, if passed, will give it the power, if it chooses to do so, to implement that objective. And that's our objective. That's what we are talking about—a political problem.

Our objective is that at the end of a five-year period, commencing on July 1, 1977—which in my calculations would take us to

July 1, 1982—the objective under the programme, equitably worked out, would be to eliminate non-returnable beverage containers in the Province of Ontario.

**Mr. S. Smith:** Mr. Chairman, the minister is going to have regulatory powers governing this matter. Consequently, he is going to take direction from this proposal and he is going to exercise that power. We cannot vote intelligently, given the fact there are some private meetings involved, unless we know how the minister understands this. If he won't give us a clear understanding, then we'll have to ask the ruling from the Chair as to what this particular amendment means. Is it merely a deadline or can it happen before? That is the question. That is the essential matter. The NDP is attempting to have it both ways, and they can't. I will insist that the minister give me his understanding. Can it happen before 1981 or 1982, according to the minister's understanding of this amendment—notwithstanding his private conversations with the member for Riverdale?

**Mr. Renwick:** Mr. Chairman, am I led to believe that the leader of the Liberal Party, who announced at the beginning that he would not support the amendment, is now considering the possibility—if he understands it the way he wants to—that he will now support the amendment? Is that what you're saying?

**Hon. Mr. Meen:** That's what he says.

**Mr. S. Smith:** Until we vote, we consider everything. What is the matter? You can't have it both ways; let's have it clear.

**Mr. Renwick:** May I, Mr. Chairman, say to the—

**Mr. S. Smith:** We won't support a ban that takes five years. That's for sure.

**Mr. Renwick:** —leader of the Liberal Party—

**Mr. Deputy Chairman:** Order, please.

**Mr. Renwick:** —and if he is not aware of it, to the House leader of the Liberal Party; that if the Liberal Party wishes to move a sub-amendment to this amendment—

**Mr. S. Smith:** You won't get us to do your dirty work for you.

**Mr. Renwick:** —in order that they can let us know what their position on this amendment is, we will be glad to consider it.



**Mr. S. Smith:** As soon as we understand the amendment, we will let you know what our position is.

**Mr. Renwick:** In the meantime, the explanation which I have given I am sure is clear to the minister. I don't mean by that that he necessarily agrees with it, but that is the intention of the amendment which we propose.

**Mr. S. Smith:** Is it a deadline or a limit?

**Mr. Breithaupt:** I appreciate the suggestion made by the member for Riverdale which would, by the placing of the amendment from this party, allow his party to avoid the situation as to whether this will be within five years or at the end of five years. If it is the understanding of the minister and of the member for Riverdale that this is to happen at the end of five years, then certainly it is something which we cannot support.

**Mr. Deputy Chairman:** Does the hon. minister wish to comment?

**Mr. S. Smith:** Which one is it?

**Hon. Mr. Kerr:** Mr. Chairman, I can't help but be repetitious. I had to read the language of the amendment presented to us and the conclusion that we had from that amendment—and there has been some confusion, and I regret it. There was a phrase used, "within a five-year period"—and now the phrase is "within five years of the use, offering for sale, or sale in Ontario"—and so on. In my opinion, within five years means not later than five years and it does not mean not less than five years.

I question really, despite the importance that the hon. member for Riverdale may attach to this, in light of the recommendations of the Waste Management Advisory Board, and some of the remarks I made on Friday in respect to the phasing in of regulations, whether this is all that important to the hon. member.

[10:45]

I realize that a resolution was passed at the NDP convention a week or so ago and this matter was discussed. However, I think that to tie the hands of the minister and the government for what amounts to a six-year period is not acceptable to either the government or the minister, and I don't think that the hon. member for Riverdale should expect that it should be.

**Mr. S. Smith:** Okay, that's it. Now we know.

**Hon. Mr. Kerr:** We have a programme and we have recommendations that have been submitted to the government—

**Mr. S. Smith:** Want to withdraw the amendment?

**Hon. Mr. Kerr:** —after years of contemplation about this whole subject matter. These are in a report that took at least a year to compile and in which I have a great deal of faith as being the strategy and the route to take in respect to throw-away containers. I would suggest that the amendment, as presented here, is acceptable to us and that it means just what I said it means.

**Mr. Renwick:** Mr. Chairman, I have no disagreement with the statement made by the minister as to the meaning which he has attributed to the amendment.

**Mr. Gaunt:** Okay, we have got it.

**Mr. S. Smith:** Mr. Chairman, I hate to be repetitious, but my understanding with what the minister said is that this amendment means only that he is to act some time within five years, and it could be within a year or two.

**An hon. member:** Exactly.

**Mr. S. Smith:** That is my understanding of what he said, and he has not corrected me on this—and I have stated it many times. I'm certain that that's correct. It is obvious, therefore, that the amendment being brought in by the member for Riverdale has no effect of delaying this matter for five years in the way in which his convention directed him to. It is obvious that the wording of this amendment, despite his private meetings with the minister, is not designed in any way to protect the jobs that he is talking about. It is designed merely to go on record saying something that includes the words five years, because it has no effect at all on the minister except to make sure that he acts at least before 1982. The minister has already told us very clearly that he intends to act much sooner than that. That is our understanding of what this piece of paper is about.

Therefore, we would invite the member for Riverdale to withdraw this essentially useless piece of paper, this amendment, which the minister has already said does nothing but assure that he acts at least at some point before 1982, and in no way prevents him from implementing an immediate ban, should he so desire. Let us be clear that the NDP has not protected any jobs with this amendment. The NDP has simply said a few words, a little



gobbledegook using the words "five years," and it thinks that that's going to fool the people of Ontario. Let me assure the NDP, it will fool nobody.

**Mr. Renwick:** Mr. Chairman, may I again make an effort—and probably the last effort I'll make on this particular matter—to clarify the thinking of the member for Hamilton West.

**Mr. S. Smith:** Withdraw it. It's worthless.

**Mr. Renwick:** Let me read to him the whole of the provision of the policy of the New Democratic Party and then, perhaps—

**Mr. S. Smith:** Withdraw it. Put it into the amendment.

**Mr. Deputy Chairman:** Order, please.

**Mr. Renwick:** —he will then understand why I said to the minister, and why I said during the course of this morning, what I believe the meaning of the amendment is. I find no difficulty in having the meaning attributed to this amendment by the minister coinciding, in my mind, with what I have been saying. Here is policy statement:

With the objective of eliminating the use of all non-returnable beverage containers in five years, the NDP would initiate a five year phase-out programme on the use of non-refillable beverage containers where feasible alternatives exist. This would be accomplished by—

Then we list six particular items to work it out.

If the member for Hamilton West wishes to consider that by tomorrow night there will be a ban on non-returnable containers in the Province of Ontario, then he is misunderstanding the position of the government as we understand it. I understand, with minor exceptions, the government is accepting the provisions of the task force. The timing problem is a very real problem.

Since we are not the government, we are quite content to leave it to this government to take into account the identical concern which we have with respect to an equitable method of phasing out non-returnable containers. We believe that it will take him five years to do so. We take our assurance from the commitment which the minister gave to us in the private meetings, over which there were no controversy whatsoever and which the minister would have extended to you, had you had enough brains to ask to discuss the problem—

**Mr. S. Smith:** You are not allowed to call somebody dishonest but you are allowed to say he doesn't have brains.

**Mr. Deans:** No, he didn't say you didn't have brains, he said you didn't have enough.

**Mr. Deputy Chairman:** Order, please.

**Mr. Renwick:** —then you could have reached the same conclusion which we have reached, that if the regulations for the phase-out of non-returnable containers are put to all interested groups in this society for public discussion before they are filed, then we are satisfied that the end result of those regulations will be a phase-out over a five-year period in accordance with the intention of the policy of the New Democratic Party, decided at convention, and in accordance with the language contained in the amendment which I have put forward.

**Mr. Breithaupt:** Mr. Chairman, it is clear that the member for Riverdale believes that this will not be accomplished before five years. He has just said so. I believe that the minister does not view it in that light, and certainly this party does not view it in that light. If it's clear that the amendment, which the minister said he is going to accept, is in the opinion of the member for Riverdale a commitment not to act before a five-year term, then I think the amendment is quite incomprehensible.

**Mr. Renwick:** That is not what we have said.

**Mr. Breithaupt:** The member for Riverdale has just said he believes it will take five years. I don't believe it will take five years. I think that the leadership of this government should not allow it to take five years, and therefore I still believe that the amendment is unsupportable.

**Mr. B. Newman:** Mr. Chairman, in the light of the fact that the city of Windsor now has special legislation and can pass a bylaw banning non-returnable containers, and if that experiment shows that it is successful within six months or within a year, would the minister be prepared to accept that period of time that it took a small municipality to phase in a programme as the period of time required to phase in his programme?

**Hon. Mr. Kerr:** No, not necessarily. It's very much easier to prohibit the use of non-returnable containers—and again I would like to know whether that particular legislation refers for example, to a deposit on existing non-returnables so that they are returnable,

or are we talking about refillable containers; there is a substantial difference. It's much easier for a municipality to prohibit the use of non-returnables than it is for a province. All that happens really is that the various companies don't deliver non-returnable bottles to Windsor, and the people in that city have soft drinks available in refillable containers.

Frankly, I think the passing of a provision in a private bill oversimplifies a very complex system here. If you refer to the recent Waste Management Advisory Board report, you will see there are many things that report feels should be done before there is a ban. They don't refer to deposits, but before there is a ban there's a certain strategy, as I have indicated many times during this debate, involving the whole question of an efficient distribution system so that when people bring back empty cans or empty bottles, for example—if you go the deposit route—there is a system whereby they are paid a deposit and that those cans and bottles are recycled.

That is why we feel, as the report feels, that there should be a phasing-in of this programme. For example, when Oregon, Alberta and British Columbia practically overnight, eliminated the non-returnables and placed a deposit on all containers there was serious disruption and there was also bedlam in many of the stores. The whole conversion and the change in the system was very costly and the fact is it did very little toward reducing solid waste disposal, which is one of the main objectives in our legislation. If you take a number of bottles and cans that are being recycled to some depot and then a truck takes those bottles and cans from the depot to the local dump, you're not really achieving very much, except having a rather costly recycling and returnable system. You're not achieving what we're attempting to achieve in implementing certain recommendations set out in the Waste Management Advisory Board report.

It's hard to make comparisons between a province-wide regulatory control in this industry and just one municipality.

**Mr. B. Newman:** You're aware that the city does not intend to impose a ban overnight but it is setting up a committee which is going to study the implications and complications of any legislation it may introduce before it actually introduces legislation. The city is going the public participation route and I would assume that by going that route it would foresee a lot of the problems you're mentioning here. As a result, I would think and would hope that the legislation eventually introduced by the city would resolve the prob-

lem much sooner than you anticipate on a five-year programme.

**Mr. S. Smith:** Because I believe it's deliberately obscure, I wonder if the member for Riverdale or the minister would like to comment on whether they might make a change in the amendment, just for the sake of clarification. After the word "prohibition" it says "a prohibition within five years"; could that be changed to "a prohibition over the course of five years"? I believe, from what I heard, the NDP convention said they intend this to be delayed over the course of five years for the sake of adaptability and job creation and so on. Yet the minister has said, notwithstanding the private conversations which are persistently referred to by the member for Riverdale that his understanding is that all this amendment does is give him a limit; he must act by the end of five years which could easily be a year or two from now.

If the member for Riverdale would like to change his amendment to read as he obviously intends it to mean—over the course of five years rather than within five years—at least we would all be clear on what it is he's talking about and he would talk out of only one side of his mouth. Is it acceptable to him to change it to "over the course of five years" rather than "within five years"?

**Mr. Renwick:** Mr. Chairman, it's not acceptable to change the amendment for that purpose.

**Mr. S. Smith:** Now we know. Now it is clear.

**Mr. Deputy Chairman:** Order, please.

**Mr. Kerrio:** That is posturing. Flip-flopping.

**Mr. Renwick:** The purpose of the amendment hinges upon a word "schedule".

**Mr. S. Smith:** Over the course of.

**Mr. Renwick:** "... a schedule for the regulation and the prohibition within five years of the use, offering for sale or sale in Ontario of non-refillable or non-returnable containers for any beverage."

**Mr. S. Smith:** What's wrong with "over the course of"?

**Mr. Renwick:** The advantage of a schedule—and in the absence of this amendment there would be no such schedule—

**Mr. S. Smith:** "Within" is only a time limit.



**Mr. Renwick:** The advantage of the schedule in this regulation, coupled with the commitment of the minister for public discussion of the problem, is that if there is public satisfaction with the regulation how he does it is the government's problem. Our convention resolution says how we, as the government, would have done it. How he, as the government, does it is fine.

**Mr. S. Smith:** Why is the minister accepting that? You know he's trying to pull the wool over your eyes.

**Mr. Renwick:** We happen to be committed to the proposition that public input would convince the government that it takes a carefully regulated procedure by which—

**Mr. Breithaupt:** It takes five years.

[11:00]

**Mr. Renwick:** —at the end of a period of time, which we believe to be five years, there would be no non-returnable containers. That's his problem. If he thinks he can do it in a shorter time, that's his way of doing it.

I'm simply saying that when the public representations are heard with respect to the schedule which he must put forward for public discussion before it is filed, then it is his problem as to how he does it. If he wants to do it in less than five years, that's his problem. What our convention resolution says is that if we were the government we believe it is feasible for us to work out such a schedule so that at the end of the five-year period there would be no non-returnable and non-refillable beverage containers in Ontario.

The Liberal Party may differ, the government party may differ; all we are saying is, in fairness to everyone concerned, there must be a public discussion of the method by which this programme takes place.

I hope that has helped to clarify the position of this party. We think, as we have said in our amendment, if we were the government that's how we would do it. We think it is possible to do it in a fair and equitable way over that period of time. We are not the government. The government has said that it will accept this amendment to introduce a schedule for public discussion and for filing a year from now, on July 1, 1977, as to how it would do it within a five-year period.

To the extent that they differ from us, that's because they're the government. What we would do is clear in our resolution, and the fundamental key to it is it will be a

schedule publicly discussed, publicly settled, publicly filed and then implemented by the government. That's a very significant distinction between the government position and our position, but in introducing this amendment at least we will have provided a public forum for the discussion of the method by which this is going to be carried out, and they bear the responsibility as to whether it's fair and equitable in all the circumstances.

I hope that's made it clear. I don't quite know what the position of the Liberal Party is. The position of our party is as stated in the convention resolution and as stated in the statement which we put forward in this amendment. We recognize that the government is not prepared to say that it will be over a five-year period, but that's the position of this party. That's the position of this party, and in the amendments to this bill, I want to get the public commitment of the schedule of the method by which this will be done—

**Mr. Breithaupt:** There's nothing about that in the amendment.

**Mr. Renwick:** —a schedule of the method by which this will be done, coupled with the public commitment of the minister to making certain that there will be public discussion.

**Mr. S. Smith:** There is nothing about this.

**Mr. Renwick:** You can be quite certain that if we were the government we would be phrasing this within the framework of our convention resolution. We're not the government. What we are trying to do is accomplish in this political process the maximum amount that we think we can achieve toward implementing our policy, and we did it by this amendment. We did it by this amendment because the government has said it will accept this amendment; it won't accept anything more.

**Mr. S. Smith:** They can't.

**Mr. Renwick:** We're quite prepared to accept that much, the government coming this far toward the position of this party. We're not trying to put our interpretation on what the government will decide is the meaning of this clause. All we're saying is we want to get as much of what we as a government would have implemented in this legislation, and I'm quite satisfied if at the end of this morning, or tomorrow morning, or the next morning, we have a commitment from the government that it will go publicly with draft regulations, that it will prepare this kind of a schedule and that it will listen to what people have to say and if, as a result of that, it



phases them out within three years, or 3½ years, or three years and eight months, or two years and eight months, that's the government's problem and that's what we're saying to it. We know very well that in trying to phrase this amendment we can't always get exactly what we want, but we are prepared to go with this amendment because it is as far as we believe we can go as the opposition party in implementing the policy of the New Democratic Party in the face of very real differences of opinion with the government.

By the time it is worked out, by the time the schedule is prepared, by the time the public discussion has taken place, I am prepared to have a private bet with the minister and with the member for Hamilton West that it will be, *comme si comme ça*, about five years from July 1, 1977, when the equity of the situation will permit the objective to be achieved.

**Mr. Deputy Chairman:** Before the Chair recognizes the hon. member for Hamilton West, it seems to me that the comments are becoming a bit repetitious and perhaps that we are recycling the debate. We should limit our comments a bit when it becomes repetitious.

**Mr. S. Smith:** Mr. Chairman, I invite you to understand that I don't enjoy engaging in repetitious debate of this kind. But it is very clear that the purpose of this amendment which does absolutely nothing, according to the member for Riverdale's last statement, to bind the government to delaying the matter for five years, is merely to somehow give what he calls a vehicle for expression of what the New Democratic Party would do if it happened to be the government. Now, one does not present amendments to be incorporated into laws simply as a means of explaining—

**Mr. Renwick:** On a point of order, Mr. Chairman, this is not for the purpose of giving expression to the New Democratic Party convention resolution.

**Mr. S. Smith:** That is what you just said.

**Mr. Renwick:** If it were for that purpose it would have been worded quite differently.

**Mr. Breithaupt:** That's what you said.

**Mr. S. Smith:** You said to get as close as possible.

**Mr. Renwick:** I said it was to get as close as possible to an amendment that the government would accept in the light of our convention policy. That is an entirely differ-

ent thing from saying that this amendment reflects the New Democratic Party's convention resolution of the political difficulties of the problem.

**Mr. S. Smith:** And there is nothing more than that.

**Mr. Deputy Chairman:** The member has stated the point of order. The hon. member for Hamilton West.

**Mr. S. Smith:** Yes, that's exactly what I said, Mr. Chairman. This amendment does nothing to alter the law; it does nothing to make it impossible to bring in the ban in fewer than five years; it says nothing about having public consultations or public hearings; it does absolutely nothing except give as much reflection as possible to the New Democratic Party's position; and it has absolutely no effect on the law, according to the minister and according to the member for Riverdale.

Therefore, Mr. Chairman, the reason that this repetitive engagement is occurring right now is because I can picture—as you can sir, in your own riding, when you act as a member other than as chairman—the postures that will be struck in front of the working people whose jobs are jeopardized by such a ban. They will say: "We thought, we stood, we introduced an amendment that would delay it for five years, and look at the way the minister went and just sneaked it in early."

Why the minister can't fathom this ploy is totally beyond me, because it's perfectly clear—

**Mr. Lewis:** That's a very personal viewpoint.

**Mr. S. Smith:** —there is absolutely no effect on the law by this particular amendment. It is a pure posture to reflect, as much as is possible, the NDP convention.

**Mr. Lewis:** Then don't vote for it. Vote against it.

**Mr. S. Smith:** And the thing that concerns me, Mr. Chairman, are these alleged private meetings that have occurred between the minister and the member for Riverdale.

**Hon. Mr. Kerr:** They were taped!

**Mr. S. Smith:** I want to know exactly what was promised to the New Democratic Party with regard to this ban.

**Mr. Lewis:** Do you think money changed hands?

**Mr. Maeck:** Which way?

**Mr. S. Smith:** I can assure you, Mr. Chairman, that the very amusing comments that the Leader of the Opposition is inserting at this time do nothing to detract from the—

**Mr. Lewis:** You are not going to draw me into the debate. I don't want to do that.

**Mr. S. Smith:** —from the hilarious performance given by the member for Riverdale. Let me be clear about this—and we will let the minister have the last word on this, Mr. Chairman—this amendment does absolutely nothing to delay the ban. If they wanted to delay the ban they would have introduced an amendment that would say that the ban should take place over the course of not less than five years, and they are capable of that much English. They could, in fact, say over the course of not less than five years in the amendment. And then the minister would not accept it, as he knows very well, because he stood and told this House that he will not have his hands bound to such a lengthy delay. And we will not accept such a lengthy delay.

Instead, they have come up with something that does nothing to the legislation, that in no way binds the minister to any sure form of delay, that says nothing about public consultation, and they will go out and posture and say "We tried to get you five years." That is what the game is. You know it, everybody here knows it, and that is why we have had to be so repetitious, despite the clever attempts of the member for Riverdale to obscure the situation. In my best days in March I was not capable of the kind of gymnastics we are now seeing from the NDP.

**Mr. Swart:** I have listened now on six or seven occasions to the member for Hamilton West getting on his feet and whining and complaining about the amendment that has been put forward by this party. His course is perfectly clear to him. If he doesn't think there is sufficient clarity, then he can move another amendment to clarify it. If it doesn't say what the Liberal Party wants to say then he can move another amendment to say what the Liberal Party wants to say. If he doesn't like it all, then his party can vote against it. I think it is time he either shut up or put up!

**An hon. member:** That is what you call a political shot.

**Mr. S. Smith:** Mr. Chairman, this is quite unparliamentary. Really, that is the Darcy McKeough style of discussion.

**Mr. Deputy Chairman:** Order. I would ask the hon. members to observe a little better parliamentary language.

**Mr. S. Smith:** At least it is four letters. It is better than the Treasurer is capable of.

**Mr. Deans:** Mr. Chairman, I want to make it clear to the House and the Leader of the Liberal Party that it is evident what his intention is. His intention is, of course, to effect a ban immediately and to hell with the jobs, and that's the unfortunate part of their position and that's one of the difficulties that you always face in politics.

**Mr. S. Smith:** They have the guts to bring in a delay.

**Mr. Deans:** The matter is more important than that. To begin with, no one knows whether it will take five years or not; not I, nor anyone else in the House.

**Mr. S. Smith:** Except the New Democratic convention. The New Democratic convention knew. They said five years.

**Mr. Deans:** The sense that we have, of the immense problems that will confront the majority of people in the Province of Ontario who were directly involved in the production of cans and the like, is that it will take five years to resolve. It may, in fact, take longer to resolve.

**Mr. S. Smith:** Then have the guts to put it in the amendment.

**Mr. MacDonald:** Have the guts to move an amendment if you want it clarified.

**Mr. S. Smith:** You put it in the amendment. Say what you believe.

**Mr. MacDonald:** Move an amendment if you want to clarify it.

**Mr. Deputy Chairman:** Order, the hon. member for Wentworth has the floor.

**Mr. MacDonald:** You don't understand either the political or the legislative process, that's your problem.

**Mr. S. Smith:** Say what you believe. I understand what you are doing; so does everybody else.

**Mr. Deputy Chairman:** Order, please.

**Mr. Deans:** I think it would be rather foolish if we were to establish a minimum



period of five years only to discover that the ban could have been effected in four years with all of the necessary safeguards for employment and the like taken into account. It would be foolish.

**Mr. Kerrio:** You want to get by an election on this. Smart move!

**Mr. S. Smith:** So what is the amendment for then? What is it for at all?

**Mr. Deans:** What we are saying to the minister is this; that when you sit down to draft your regulations—

**Mr. S. Smith:** Think of the number five. That is what you are telling him.

**Mr. Deans:** —you begin from the position that it will likely take an extended period of time, that you don't accept the Liberal position that you can do it overnight, that there is recognition paid to the effects and the costs of making this kind of a ban hurriedly and without due consideration. That's what we are saying.

**Mr. S. Smith:** But, it doesn't say it there.

**Mr. Deans:** We are saying that if it is possible—if it is possible, and I don't believe it personally—to phase in a programme that will not only effect the desires of those people concerned about the ecology but will be threatened in terms of their economy then, of course, you ought to do that.

We are saying to the minister, in fact, the five years could have been 10 years, because it may even take that long, but it certainly will be longer than one year or two years. I am saying to the minister that my main concern is the same today as it was on Friday last, when the member for Hamilton West wasn't here, and on the other days when I have discussed this same matter.

**Mr. S. Smith:** It was different from your programme which said you would phase it out over two years; it is changed since then.

**Mr. Deans:** My main concern in this matter is that we not act in such a way as to threaten the many people whose jobs are directly related to the production of these materials.

[11:15]

I recognize on the one hand that it is desirable for the overall good that we move toward the elimination of the litter we have. But I understand on the other hand that the life expectancy of a great many people and

their capacity to earn sufficient in order to provide a decent income for themselves and their families has to be a prime concern, if not the prime concern, of the Legislature.

**Mr. Kerrio:** Then write it that way.

**Mr. Deans:** We are writing it that way.

**Mr. Kerrio:** You are posturing.

**Mr. Deans:** We are saying to the minister that as you draft your regulations keep in mind that it is better to err on the side of caution, in terms of the ban, and to make sure that all the programmes are in effect and all the necessary legislative actions are taken to ensure that the economies of those few selected people aren't so detrimentally affected that they will not recover from it.

When I spoke to the minister on Friday in the Legislature I said to him that I had little confidence in the government's capacity to bring in the kinds of manpower policies necessary. If we had manpower policies already in effect in Ontario which had been able to deal rationally and sensibly with many of the massive layoffs and plant closings which have occurred over the last few years, of course, we could adopt the position of the Liberal Party that they are already there and therefore you can ban the can overnight and the workers may well be taken care of or they may not.

As I see it, because there are no clear policies already in place and because the government hasn't been able to articulate the position it would take with regard to retraining and the guarantee of certain incomes for people who may be threatened or lose their livelihoods as a result of the legislative action of this parliament, we have to stress caution to the government—

**Mr. S. Smith:** How can the minister accept such nonsense?

**Mr. Deans:** —and that is what we are doing. We are stressing that the government has to be very careful in the way in which it implements the ban. It has to be very careful and test all along the process to make sure that it is not only those workers and their families who are directly involved who carry the burden for what is the common good.

**Mr. S. Smith:** You are right, but why wasn't that mentioned in your supplement? You left out a sentence in your programme last year.

**Mr. Deans:** I didn't leave out any sentence in the programme. I didn't draft the programme. The strange thing about this party



is that the programmes of the party are drafted by the convention and approved by a convention representative of people from all across the province.

Interjection.

**Mr. Deans:** Therefore we are not in the position of drafting it sitting here, unlike the Liberals who come up with instant policy overnight, whether or not it is consistent with the policy written in their booklet or otherwise.

**Mr. S. Smith:** You didn't say it was only provided—your next convention agreed. Maybe it is on the back?

**Mr. Deans:** What I am saying is that we think it will take five years. We think it might take more. When you sit to draft your regulations we want you to pay heed to the fact that we are not going to be riding your back continuously to bring about that ban if there is clear evidence that it can't be brought in without detrimentally affecting, over a long term, the people of the Province of Ontario who are directly involved in the production of these materials. That's a concern the Liberal Party doesn't share with us.

I am going to say to the minister and to the leader of the Liberal Party that one of the difficulties I see is it would be easy to bring in regulations banning these products six months from now. It's not a matter of drafting regulations to ban them. It's not difficult to choose any of a number of groups and to make the thing stick legislatively. The difficulty isn't that at all. The difficulty is in doing it in such a way as to cause the absolute least disruption—

**Mr. S. Smith:** But not offending the union; yes, I understand.

**Mr. Deans:** I am offended by that, by the way, and you know better.

**Mr. S. Smith:** You damn well should be offended. You have gone back on your own programme that—

**Mr. Deans:** I have not.

**Mr. S. Smith:** —said two years and no union provisos.

**Mr. Deputy Chairman:** Order, please.

**Mr. Deans:** What I am saying is that it has to be done in such a way as to cause the least detriment to the people who are most affected by this particular legislation. I don't understand the Liberal position. I think they

would like to ban the can tomorrow morning and would do so if they had the power.

**Mr. S. Smith:** We will ban the bottle tomorrow. The can will take three to five years.

**Mr. Deans:** That's the reason they can't have that kind of power. They don't have any recognition of the need of the people in the Province of Ontario who are affected by this.

**Mr. S. Smith:** Why didn't you include it? Why didn't you include that part of it?

**Mr. Deans:** It is easy for the member for Hamilton West to stand up and talk about moving ahead more quickly—

**Mr. S. Smith:** It is your programme, not mine.

**Mr. Deans:** As far as I am concerned the effect on the people who are employed in the business is the effect we have to concern ourselves most with. I don't care whether they're unionized or not, because not everyone who is involved or who will be affected detrimentally is in any trade union. There are a great number of people who are not in trade unions who will be affected by this legislation. For the member for Hamilton West to try to draw in a lot of red herrings, in an effort to try to extract his party from a very difficult position, is something that I don't quite understand—maybe I do understand, because that is the position he's taken since the day he was elected leader.

**Mr. S. Smith:** You are in a difficult position, my friend. We are the ones for the ban. We have always been there. You are the ones in a difficult position. You are the flip-floppers who have gone back on your promise to the people of Ontario.

**Mr. Deputy Chairman:** Order, please.

**Mr. Deans:** My position is perfectly clear; I ask you, Mr. Minister, to move with deliberation but not to move hastily.

**Mr. S. Smith:** That's right. That is the first time you have said that.

**Mr. Deans:** I can suffer the barracking of the Liberals, because I'm talking about real people—people who have mortgages to pay, who have children to raise, who have problems in the Province of Ontario finding alternative employment—

**Mr. S. Smith:** The people paving the Spadina are real people too, you know.

**Mr. Deputy Chairman:** Order, please.

**Mr. Deans:** —people for whom there is no alternative in terms of finding employment at this time, many of whom are getting on in years and don't have the capacity to go back to school to be retrained for other jobs. Not having that psychiatric hardness, I can't find it in myself to neglect them.

**Mr. S. Smith:** The ones who live in apartment buildings are also real people. So are the farmers whose lands you are going to freeze.

**Mr. Deans:** I say to the minister that as he brings in his regulations, he should remember that we are talking about the effect on people in the province and that, without question, before this ban is fully operative—assuming that it ever is—it will take a five-year period to ensure that everyone who is currently involved in the production is taken care of in such a way as to guarantee those people that they won't have to carry the full burden of what this Legislature does and to make sure that they are not asked to give up unfairly the things they have expected for themselves and their families because of the kinds of attitudes of the member for Hamilton West.

**Mr. S. Smith:** Like the farmer whose lands you would freeze.

**Mr. Ruston:** Using up all the agricultural land for garbage.

**Mr. Deputy Chairman:** Order, please. Before I recognize the next speaker, perhaps I should reread the amendment that Mr. Renwick has placed before us so that we will not be repetitious and will only raise new points pertaining to the proposed amendment.

Mr. Renwick has moved that section 1(c) of the bill be amended by adding thereto the following:

(ea) providing a schedule for the regulation and the prohibition within five years of the use, offering for sale or sale in Ontario of non-refillable or non-returnable containers for any beverage.

He further moved that section 1 of the bill be amended by adding thereto subsection 2 as follows:

The regulations made under clause (ea) of subsection 1 shall be filed pursuant to the Regulations Act not later than July 1, 1977.

**Mr. S. Smith:** The minister is going to get hell for bringing it in sooner.

**Mr. Grossman:** Mr. Chairman, I suppose one learns that sooner or later, in almost every debate, the opposition is going to bring in an amendment which, in some instances, looks after their special-interest groups. Today they've succeeded in bringing in just one amendment but one that looks after two of their special-interest groups at the same time.

The point of their amendment, of course, is so that they'll run out to the environmentalists and say: "Look, George Kerr was prepared to let this thing drag on forever and never bring in any of those regulations. We, the NDP, were the ones who forced him to do it by a given date." On the other hand, with the eloquence of the member for —we could pick any one of a number of them, but let's take the member for Wentworth (Mr. Deans)—they will then go to the employees and say: "Look, we told George Kerr there's no hurry, because your livelihoods, your right to earn a living and so on are so important that, for once, the NDP are not going to push, push, push for action tomorrow morning regardless of its implications on the economy and your right to earn a living." They'll go to the employees and say, "We delayed it for five years," but they'll go to the environmentalists and say, "We moved it up, we forced it, within five years."

**Mr. Kerrio:** It's smart business.

**Mr. S. Smith:** So, why accept it?

**Mr. Grossman:** I understand the game, and they understand the game, and I use the same amendment but for different purposes to different groups.

Interjections.

**Mr. Grossman:** I wanted to rise at this particular point to say that the legislation, in its original form, expressed faith in the ministry and the way it's been run, in order that all of the concerns raised by the opposition and, indeed, by the Liberal Party as well, could be met in a sensible, orderly fashion over the next ensuing years. The minister has made it clear that he intends to solve this problem within the time limit set out in the amendment, and thus the amendment is obviously acceptable to the minister, I understand.

That's fine. It's because he's confident, I suppose, of his ability to perform within that schedule that he can accept that amendment. I think myself that it would have worked equally well, perhaps better, if some leeway were given so that the ministry could use its hand, play its cards whichever way best



met the demands of the employees, the very legitimate demands of the employees, and the problems of industry and the environmental problems that we're facing.

Let me tell you that those of us on this side of the House, and I suppose my friends in the Liberal Party, somewhat get a little irritated at having the member for Wentworth and others suggest, throughout this debate particularly, that only they are concerned about the jobs of the employees. The minister has been under severe criticism from that party, the opposition party, for many years about the environmental issue, when are they going to buckle down to doing away with the non-refillables, when are they going to bring it about?

Then when the time comes and the minister begins to move very strongly—I should say, accurately, continues to move very strongly—then they get a little panicky that perhaps the NDP is going to be blamed for early problems in that industry. So the ministry, with every bit of sensitivity, the same amount of sensitivity for those jobs that the NDP has and maybe even more, says, "Well, we won't put a definite cutoff date in there, we'll work toward it, we'll bring in these regulations, give us the power and we'll get about it." Then they start to panic. They don't want to be blamed, so they'll bring in their two-way amendment.

I'm confident that the ministry can meet those deadlines—the minister obviously feels he can—but I did want to rise at this particular point to get on the record, before it happens, that the opposition is going to take their amendment and walk with it in two directions—but they're good at it.

**Mr. Renwick:** Mr. Chairman, I'm really disappointed that the member for St. Andrew-St. Patrick fell for the sophistry of the leader of the Liberal Party this morning and thought for one single moment that that's what either we were about or anyone in the New Democratic Party was about.

**Mr. Kerrio:** We know what you are about, Jim.

**Mr. Renwick:** There's one thing that we do know how to do better than either your party or the Liberal Party, and that is—

**Mr. Ruston:** Change places in the middle of the stream.

**Mr. Renwick:** —to have our policies made at the conventions of the party.

**Mr. Kerrio:** Flip-flop when the press isn't here.

**Mr. S. Smith:** You lacked the courage to present your policy in the amendment.

**Mr. Renwick:** I just want to clarify finally, so far as I am concerned, what the amendment is about. I understand quite clearly, and have understood right from the time that this discussion was initiated by our party in a request to the minister to meet, I have understood quite clearly that he was not prepared to accept an amendment which said, "over the course of a period of five years," or, "within a period of five years," indicating that that was the phase-out period that he was bound to. I have understood that very clearly.

**Mr. S. Smith:** Good. Why didn't you say that right away?

**Mr. Renwick:** What we wanted to make certain was that we did get an amendment on this bill, acceptable to the government for two purposes and two purposes only. One, that there would be a schedule in the regulations showing how the government planned to implement its policies with respect to this question. That's the first point.

[11:30]

The second point, while it is not stated in the amendment, is a commitment made by the minister in this House on second reading—and which he made to us when we met with him to discuss this bill—that the regulations would be circulated to all interested parties to the extent that those parties made themselves known to the ministry and to other members of this assembly for discussion and input before they were filed in order that the government could hear the reflection to them of all kinds of representations, but particularly the representations of those persons who are concerned about their jobs.

Our party is sufficiently broadly based across the province that when we have 1,200 people assembled in the convention of the party in Kingston to discuss these matters openly on the floor, in the light of a request which we put as a caucus to ask for a resolution of the problem, that we will honestly and fairly state across the province what the position of this party is. And if anybody thinks that we'll play footsie with this kind of a regulation, or this kind of an amendment to a bill for the purpose of playing to one group and then to another group, then they mistake, each of them, their party for this party.

**Mr. S. Smith:** Oh, don't talk nonsense. The member doesn't have the guts to bring in the amendment he really wanted.



**Mr. Renwick:** The Conservatives mistake their party; they mistake the character and quality of their party and the character and quality of the Liberal Party for the character and quality of this party.

I am disappointed, as I said, in the member for St. Andrew-St. Patrick. I can understand the problem—

**Mr. S. Smith:** This is the member's darkest hour.

**Mr. Renwick:** I can understand the problems of the member for Hamilton West, who apparently has bottomed out—I don't know what that phrase means; it certainly is ambiguous to me.

**Mr. S. Smith:** We have never gone back on the platform with which we got votes in the Province of Ontario, and the NDP have.

**Mr. Renwick:** I am certainly saying to the Chair that that is what I mean by the amendment we proposed. Had we thought for a moment that the government would have accepted an amendment which contained the phrase "over the course of a period of five years," then we would have included that in our amendment. We get always in this assembly what little crumbs we can from the master's table.

**Mr. S. Smith:** I wouldn't even give those guys a crumb; they are crummy already.

**Mr. Renwick:** Fortunately, the master has to pay somewhat more heed now than he did in other days, so we've moved a little bit further. We get certain amendments. We think they're valuable. We think they're extremely important. We think that time will tell in the public discussion of the schedule for which we are requesting the government to assent to, and we will get the kind of programme for the phasing out of non-returnable or non-refillable bottles that will be a good programme simply because of the public input and because this amendment provides for the schedule.

As I said at the beginning, that is as close as we can come to the government. I'm saying to them that as far as we're concerned, we're pleased that the minister stated he would accept the amendment.

**Mr. Breithaupt:** Mr. Chairman, I hope the Leader of the Opposition has not disposed of his "push me-pull you" doll, because obviously he could present it to the member for Riverdale after that last series of comments.

It seems important for us to recognize the fact that, in the view of the member for Riverdale, he is attempting to bring forward his party's policy as best he can to a ministry which is not prepared to fully accept it. If he was prepared to bring forward that policy, one would have thought he would have drafted his amendment in those particular terms, because it is clear that this view of what his party stands for is in the amendment he has brought forward. He has chosen to amend this in order to attempt to explain to his own delegates to that convention that they were able to influence the government in a way which should encourage them to continue to draft resolutions.

The minister, however, does not view this in the same light. The minister has explained that he is not intending to be bound by this particular time limit, and we would agree that he should not be bound by this time limit. We believe that the work must be accomplished and accomplished quickly to ban non-returnable bottles in this province and to phase out non-returnable cans, probably within a three-year term.

**Mr. Renwick:** The member's leader said three to five years 10 minutes ago.

**Mr. Breithaupt:** That is something which the New Democratic Party used to believe in, and it is something which we are prepared to agree to right now.

**Mr. S. Smith:** The advisory board said three to five years.

**Mr. Breithaupt:** Certainly three to five years; there's no question about that. It must be done. So far as non-returnable bottles are concerned, we're prepared, as we have committed ourselves to do and as the New Democratic Party used to commit itself to do, to go on and resolve this problem forthwith.

The member for St. Andrew-St. Patrick, I thought, was entirely correct and I hope that if the minister is, in my view, unfortunately talked into accepting this amendment, the member for St. Andrew-St. Patrick at least and other colleagues who may think as he does will join with us and oppose this amendment.

It is not that we do not care for the jobs which are obviously going to be involved. Of course we care. We care for the jobs as much as we care for the jobs of the men who might be working on Spadina or the men who might be building apartment build-

ings or the women and men who are involved in every other industry in this province.

We're not prepared, obviously, to allow the New Democrats to be the only ones concerned presumably with the interests of various groups within this society. If they can carry it off, more power to them, but I think the people of the province are finished with that kind of an approach which on one occasion calls for support of a particular group but on every other occasion does not.

We think this situation must be resolved and the government must be encouraged to accept the task force report forthwith. The minister should proceed to deal with these matters as soon as possible. The time limit which the New Democrats are attempting at least to read into this whole debate is a time limit with which we cannot agree. We certainly believe that the minister should not have his hands bound by this kind of an approach and we cannot support the amendment in view of the way that amendment has been put forward.

**Mr. S. Smith:** Neither should the minister and he knows it.

**Mr. Deputy Chairman:** Is the committee ready for the question?

All those in favour of Mr. Renwick's motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the "ayes" have it.

**Mr. Breithaupt:** We will stack the amendment, Mr. Chairman.

**Mr. Deputy Chairman:** Shall we stack it? Does the committee agree?

Are there any further comments, questions or amendments to any other section of the bill?

This completes the debate in committee on Bill 81.

### ONTARIO NEW HOMES WARRANTIES PLAN ACT (continued)

House in committee on Bill 94, An Act to provide for Certain Protections for Purchasers of New Homes.

On section 13:

**Mr. Deputy Chairman:** I believe at the time the committee rose we were considering section 13 and an amendment Mr. Renwick had moved. Perhaps I should read the amend-

ment to refresh the memory of the members of the committee:

Mr. Renwick moved that section 13 of Bill 94 be amended by inserting after clause (b) of subsection 1 the following clauses:  
(c) that the site of the home drains properly;  
(d) that there will be no subsidence of the land beneath the footings of the home or around the building or along utility lines; and that item (h) of subsection 2 be deleted.

Is there any further discussion on the amendment? The hon. member for Riverdale.

**Mr. Renwick:** Mr. Chairman, I don't think there's any need to repeat what I've said. I would like to ask the parliamentary assistant to the minister if he would consider the amendment we have proposed as divisible. If we were to withdraw, with the consent of the House, the question about subsidence and simply keep in subsection 1 of section 13—let me go at it another way: Leave clause (h) of subsection 2 alone where it is and introduce into subsection 1 of section 13 the drainage at the site. Would that possibly be acceptable to the ministry as being a matter, to us, of the kind of significance that should put it into subsection 1 of section 13?

**Mr. Drea:** No, but I don't want to leave it at that. First of all, we will turn to the drainage. Under this bill, every home that is built has to be built within the terms of the Ontario Building Code. As you know, part IX of the building code now covers the drainage immediately adjacent to the dwelling. So that in terms of the drainage very close in on your own lot, or on the dividing line, or in the back or along the utility line—and I presume when you are talking about the utility line you are talking about the underground one—this is already covered by part IX of the code.

Going into the aspect of the subdivision, the municipality now has control over the overall or the master drainage for the subdivision. So really, by putting drainage in here, on the one hand, for any provision that the home buyer would be compensated for, or where repairs would have to be done, it is already there. The warranty already covers that. If the drainage around that house is not proper, if there is flooding of the basements, or even if you want to go into the subsidence, if there is subsidence because of poor drainage around the house it is already covered and you can be either compensated in terms of dollars or the repairs will be done. So really the question of the drainage is somewhat redundant. I can understand the con-



cern about it, but your problem is you would really have no way under this warranty, if the original development drainage or the subdivision drainage was done in an improper manner or was not according to the plan that was filed with the municipality, no matter what we had in, you would still have to go after the municipality. I suggest to you the practice in municipalities has been that where development drainage is done there is a hold-back, or a bond, so that if the swales are done improperly, if the land is drained from back to front instead of front to back, by a miscarriage of the plan, then there is a remedy for the municipality and for the people whose homes are affected. I am not going to say that it has always been carried out properly by the municipality. There are some municipalities which have been somewhat lax in this, but nonetheless, in terms of this legislation you are protected for the immediate drainage around your home and for the overall you are protected as much as you have ever been. Quite frankly, I would suggest to you, in the case of this bill, that you are getting indirectly additional coverage, because if the drainage around the house is the responsibility of the builder, then all the contributing factors that go into the creation of a bad drainage around the dwelling, are going to be the responsibility of the people who are carrying the insurance or providing the additional warranty coverage, and they indeed will go after the municipality to make sure that their own payments are lower.

**Mr. Deputy Chairman:** Is there any further discussion on the amendment?

**Mr. Hall:** Just briefly, Mr. Chairman, I would be concerned about the requirement of making the home builder responsible for all subsidence along utility lines, because there is a great deal of lack of control by the builder as to when a lot of these utilities are run in. They include such things as the phone company or the cable company. The builder has no way whatsoever in the quality of the workmanship that these people do, and therefore it has to relate to the powers of the municipality rather than the powers of the individual builder to control the quality of such work.

[11:45]

The bill already covers the subsidence of any land underneath the footings of the home. That seems to be quite clear. With regard to the point that the site of the home drains properly, it is a very broad statement and it is another general redundancy. It seems to me that that is implied in many

current pieces of regulation that the individual builder has to follow. The word "properly" in itself doesn't imply a great deal in our minds; so we don't see that these particular amendments are adding any particular value to the bill.

**Mr. Deans:** I am sorry I missed the remarks, though I caught some of them on my speaker. I had to go up and make a call. The difficulty, as I see it, is that many of the drainage problems, the leaks into the basements and the erosion that takes place, occur because the lands are not adequately drained. I heard the parliamentary assistant say there was recourse through the municipality in some instances because of the filing of drainage plans. Was that my understanding?

I have found in the numbers of properties I have had to deal with that if there is recourse in that direction it is of little use to the individual homeowner and that it hasn't been effective at all. It would seem to me as part of the final approval of an overall project or an individual home that the grade of the property and the drainage that has been approved should be checked. The reason for that is that unless that is checked in the final inspection and guaranteed to be in keeping with the overall plan as filed, then the likelihood of difficulties arising are that much greater.

I don't know why the government would balk at that. I would have thought that one of the objectives of this legislation was to cut down as much as possible in the problem areas the likelihood of problems arising; that that's what we would all be striving to achieve and, wherever possible, if by a simple phrase in the legislation, we could eliminate a problem, then we would simply move to do just that. That is what the amendment is really addressing itself to. What the amendment is saying is that the inspector, in making that final inspection—and we are going to talk about inspectors in a few moments, I hope—will not only guarantee that the appropriate interim inspections have been made and that the property of the home itself is in sound condition, but that all of the overall plans as filed for the development have been adhered to and that the drainage is as per the official drainage plan as filed both with the municipality and, in the case of Ontario Housing Corp. properties, with the Ontario Housing Corp.

(There is no way for the average individual to be able to tell otherwise. The average homeowner would never know. The average



homeowner walking out couldn't tell whether the drainage was at the appropriate runoff level or whether the swales were in the right place. In fact, they can't even identify their property lines in many instances and therefore they would be unable to tell. That's the basic reason for it. If it is on that final inspection sheet, which is handed over to the property owner and which says that all of these things which are required to be done have been checked and have been done, then it does two things. It puts an onus on the builder to have done them; and it puts an onus on the warranty programme to have checked them. In the most likely circumstances it will have cut down on the after effects of the work not having been done properly.

**Mr. Deputy Chairman:** The hon. member for Wentworth North (Mr. Cunningham).

**Mr. Deans:** Could I have a response?

**Mr. Drea:** First of all, were it not for part IX of the Building Code, which specifically obligates the builder to provide the proper drainage around a dwelling—and it is part of this Act that the dwelling must be built in accordance with the Ontario Building Code—I would share many of your concerns about drainage.

I agree that up until now, for the homeowner faced with a perennially flooding basement—and I'm not just talking about a little leak down a crack, which can be taken care of very easily; it's a very substantial problem—it has been extremely difficult to move, because the builder has tended to pass the buck to the municipality and back and forth down to a subcontractor who read the plans wrong.

Under this legislation—and let's just take as a practical example a basement that floods—the first attempt to have the situation remedied is under this plan. If the council finds it is not the fault of the builder, that he carried out his obligation under this bill and part IX of the Act, but that the municipality was lax and that the drainage was improperly constructed, then obviously there is a very clear-cut case against the municipality.

What you are suggesting by this—and this is the concern I have—is that you would make the warranty plan cover not only what the builder does but what the municipality fails to do. The municipality is charged with the obligation of making sure there is proper drainage. Far too many of them, up until this time, have regarded that duty as having

their engineer check the plans and that every bulldozer operator, every earthmover or every sewer company somehow always does things correctly.

I agree with you that the average homeowner doesn't know why the water is in there or how the water got beside the house; all they know is that it's there. Now there are going to be people who tell them why it is there; and, first of all, if the builder had not carried out his obligations under this Act, then it will be remedied then and there. It's a clear-cut responsibility. If he has carried them out but the municipality has failed to do so, there is a clear-cut action against the municipality. In view of the fact that the municipalities now have performance bonds, holdbacks and a great number of other resources to remedy this, quite frankly I think that will be asking far more of the new homeowners than I would be really prepared to go. You're asking them to buy additional costly insurance against the negligence of the municipality—not against the negligence of the builder and not against the negligence of the inspector. Furthermore, you're asking an inspector under this Act to certify the accuracy of the performance of a municipality when he has no control over the municipality. That's where it seems to me it breaks down.

**Mr. Deans:** Mr. Chairman, I'm not exactly asking that. First of all, I want to make it clear to you my only concern is that when a person purchases a home, that home will be as free from defect as is humanly possible. I'm not terribly eager to have the builder come back and fix things. I'm hoping that the end result of the legislation will be that there will be better-quality homes built in the Province of Ontario. That may be an odd way to put it, but I'm not interested in having builders rushing back and correcting problems; I'm interested in having the thing done properly in the first place.

I wanted to include drainage in the overall final inspection for two reasons. One is, with that provision in the Act, it is more likely that the builder will pay particular attention to that aspect of what has been a major problem. The second is that if the inspection is then made and it is found that the drainage is inadequate in whatever way—I'm not talking about inadequate in the inspector's opinion but rather that the overall plan has not been properly followed—that can easily be corrected before the other problems are brought about.

One final point on that. If the inspector inspects and says, "You are going to have a drainage problem because of the municipi-

pality," I assume, I hope correctly, that the inspector will be prepared to appear as an expert witness in whatever course of action may have to be undertaken thereafter by the individual homeowner. The only way to ensure that that person can appear as an expert witness is to have him involved originally in the inspection. That's the only way to get him there.

**Mr. Drea:** But they are.

**Mr. Deans:** Not in that inspection, they are not. They are inspecting the home but not the property itself.

**Mr. Drea:** Sure he is.

**Mr. Deans:** No, he is not. Under section 9 he is not, because you have already said he doesn't have to concern himself with the inspection of the drainage patterns because it then falls within the jurisdiction of someone else. If section 9—am I correct? It is section 9?

**Mr. Drea:** Part IX.

**Mr. Deans:** Part IX. If part IX is fully operative and put into force by this Act, we don't have to worry because the inspector should obviously be inspecting it in any event.

**Mr. Drea:** Excuse me. We are talking about the Ontario Building Code and part IX is already operative. Now you have raised the point that you want something in it—simple, blunt and direct—concerning drainage. There is nothing more simple, more blunt or more direct than saying that dwellings must be built according to the Ontario Building Code.

Granted that building code only concerns the drainage in proximity to the dwelling being built but if you were building 10 houses in a row the inspector is going to be in all 10 of them. It's all right to say if it is a vacant lot and there are houses around it, he will be doing one.

If it is a subdivision—and this is where the drainage problems come in; you very seldom get them with a vacant lot—that inspector or his colleagues are going to be involved with all the dwellings in that subdivision. They are going to be specifically concerned about the adequacy of the master or developmental drainage because if that master or developmental drainage hasn't been done properly, the individual builder is going to have to take extraordinary steps to make sure that the drainage in proximity to the dwelling is sufficient so there isn't a problem for the homeowner.

I'm not suggesting that the inspector under this Act should close his eyes to what the municipality does. Of course, he will be an expert witness against the municipality if the municipality has failed to carry out its obligations. I think that's of great benefit to the homeowner because until now it has been very difficult to find the resources to hire a consulting engineer or to find one with time available to go into one of these proceedings.

As I said before, the first step for the homeowner if something goes wrong—I am with you; I don't want the builder coming back; it's to be built properly in the first place—the first decision that has to be made is on the failure of the drainage. Is it the fault of the builder? If it is the fault of the builder that's immediately rectified. That's the end of that.

If it is the fault not of the builder but of someone else, you already have an expert witness in the inspector or the people who come from the warranty council. They have said it is not the fault of the builder of house A or of house B; it is the fact that the drainage plan as registered with the municipality was not carried out. It is the municipality's responsibility. I think that's a very clear-cut way of doing it.

[12:00]

**Mr. Deans:** It would be clear-cut if there were a requirement on the part of the inspector, (a) to inspect, and there isn't at the moment; and (b) to appear on behalf of the homeowner in the event it turned out that it was the responsibility of a party other than the builder, for whom the home warranty plan is a protection if you will.

At the moment, under the law as you're proposing it, there is no requirement on the inspector to inspect that matter. He can come, he can look at a problem if brought to his attention. If the inspector looks at that problem and says that it is not the responsibility of the builder because the builder complied with the existing laws and regulations and approved plans, that's the end of the inspector's responsibility. It ends right there, the inspector has no obligation to go further.

**Mr. Drea:** No, that is not true.

**Mr. Deans:** It's true. The inspector has no obligation to go beyond that point, nor can the inspector be required to go beyond that point. If the inspector comes in and looks at a basement with six inches of water in it and says to the home purchaser, "I regret that you have six inches of water in your basement, but I have reviewed the plan and the builder has built according to the plan. I have



reviewed the structure, and the structure is in no way defective. I have reviewed the drainage pattern as approved by the municipality, and it appears that the builder has built according to the drainage pattern approved by the municipality," then that inspector and that builder is no longer involved in the case.

**Mr. Drea:** It is not true.

**Mr. Deans:** Yes, but it is true.

**Mr. Drea:** They can review it. They've got a few more steps to go.

**Mr. Deans:** But the appeal can only be within the ambit of the law.

**Mr. Drea:** But the ambit of the law, in all fairness, is that the dwelling has to be built under the Ontario Building Code. All right? What you're saying is that the inspector says the home was built within the provisions of the Ontario Building Code. You disagree. After the inspector, you can ask for mediation from the council. If you're not satisfied with that, you have the right to appeal to CRAT. You're saying that the inspector isn't required to go any further. The inspector has to justify his decision to, first of all, the council, and then, secondly, to CRAT.

At that point, surely an inspector who has worked hard enough on the project—and it is not the builder's fault, it is that of the municipality—when CRAT comes down with its decision it's decision may be, in the first instance, or one half of it may be, that the builder and the planner are not responsible, but the second half is that the municipality is. I don't know where you could get a clearer case of action against the municipality. It's a simple procedure.

**Mr. Deans:** No one is denying that.

**Mr. Drea:** Just one other thing; you're saying the inspector isn't going to certify anything about drainage on his final remarks. By virtue of the fact that he has approved the house for possession, that it has been completed, and it now bears the start of the warranty, he has certified that the drainage and everything else that's within the scope of the Ontario Building Code has been completed properly, that the drainage on the entire plot of land has been completed, if it is not satisfactory you have immediate cause for redress under the warranty programme.

**Mr. Deans:** Then I need a clear answer on the record. If you're saying to me that

the inspector having once given his approval, has certified that every single aspect of the Building Code, including drainage, has been complied with, then I assume that the warranty programme is, therefore, responsible for any error on the part of the inspector. If, as a result of that, it turns out the approved drainage plan has nothing at all to do with what the inspector sees, if the municipality approves a drainage plan which turns out to be wrong, that doesn't matter, because the inspector has approved what the Ontario Building Code says and not what the plan of drainage has said. You have to decide, because one must take precedence over the other.

Now the Building Code probably says in part IX that the matter of drainage shall be attended to in a manner which will allow the property to drain properly without causing any difficulty to the home. Let's say the builder or the developer files with the municipality a plan for a system which, when in actual operation does not provide adequate drainage, if you are telling me that this bill, by virtue of reference to the Building Code, takes precedence over the plan filed with the municipality, then I accept it. I accept it and I agree with you that the recourse is clear and we have no difficulty. But if you are telling me that over here some place the approval given by the municipality will be taken into consideration, then I say to you there is no requirement on the part of the inspector to appear as a witness at all.

**Mr. Drea:** Well to answer you, and just to make it absolutely clear, of course there is precedence. The municipality must approve the drainage before any construction can start. It can't issue a permit without it.

**Mr. Deans:** But it's possible to approve something not in compliance with the building code—right?

**Mr. Drea:** No, they cannot.

**Mr. Deans:** But it is possible they could have approved something not in compliance with the building code.

**Mr. Drea:** Well then the municipality is liable for that.

**Mr. Deans:** But the inspector represents—

**Mr. Drea:** No. Let's start from the beginning. We are talking about two different things. First of all, the developmental drainage is a responsibility of the municipality, nothing can start until that is approved by the municipality.



**Mr. Deans:** So suppose they make a mistake.

**Mr. Drea:** Pardon?

**Mr. Deans:** I said suppose they made a mistake?

**Mr. Drea:** All right.

**Mr. Deans:** As they frequently do.

**Mr. Drea:** All right. You are saying that the plan doesn't do it. The plan always does it, it is the way the plan is carried out that fails. All right; the municipality is liable for that. And I am telling you that in a subdivision, under this Act, even where there is no authority by the municipality, that situation will be detected very early on in the proceedings.

**Mr. Deans:** By whom?

**Mr. Drea:** By the inspector, because the inspector has to look at the drainage around the individual lot. If he finds something the matter with the drainage, he checks to see if the drainage is in accordance with part IX of the Ontario Building Code. If he finds it is, then obviously something is the matter further back. These inspections aren't done just when the house is completed; there are a number of inspections almost from the start of the excavation.

If the fault lies further back with the municipality and with the municipal drainage inspector or drainage engineer, then very early on liability for that is going to be assigned to the municipality. But more important than that, the work on the individual units is going to stop until the municipality, or whoever did it, corrects that situation. Now at the present—

**Mr. Deans:** Where does it say that in this bill?

**Mr. Drea:** Look, the inspector has the obligation to get the houses built as perfectly as possible so there are no claims on the fund—that is his obligation. He is not going to let work continue if he knows the overall drainage is going to lead to very substantial problems.

**Mr. Deans:** But he can't tell until final grading.

**Mr. Drea:** That may be very true in the case of the individual house, but he certainly is in a position to notice or to observe that very early on in construction there appear to be substantial problems with the

drainage. And having looked, inspected and found the drainage fault is not with the way the houses are being built or the drains are being put in around them, then obviously something is the matter with the overall drainage. At that point, he's not going to let the construction go on.

**Mr. Deans:** Let me just make one final point. I won't take up more time other than to tell you this. If that home is built, if the overall development starts in the summer, you will find it is extremely difficult to determine the actual drainage patterns of the area. It happened on Hamilton Mountain just recently under a home ownership programme that a house was built where a virtual river—a stream, I guess, is a better term—runs down the driveway. It is 3 ft deep at the driveway. It's about 7 ft deep at the end of the lot. I fell into the thing trying to find it one day in the snow.

I want to tell you that if you were to go there now or a month from now, you wouldn't know it existed because it is the drainage for the entire drainage area. One inspector going in looking at the properties in the summer would never know it was there. He wouldn't be able to tell it was going to be a problem until some time in the spring. He couldn't then have taken the corrective action. The difficulty with all of this is that it backs up. When you start trying to repair it, to fix it, you're then going through any number of properties all the way back up to the source of the problem. That inspector will not have inspected all of those properties nor will he have the authority to inspect them because many of them are not within the overall development and therefore it is hard to pinpoint the responsibility.

Anyhow, I'm going to tell you, as obviously we're not on the same wavelength on it, that you'll find one of your biggest difficulties will be the one we have just discussed. Unless the inspector has the final authority, the overall approval, which includes drainage, and makes sure that the final inspection takes that into account, I say to you you're going to be faced with serious difficulty. I leave it at that.

**Mr. Breithaupt:** There is only one thing I wanted to raise in the debate. I felt the comments made by the parliamentary assistant were accurate, particularly when he said that when the certificate is approved really what is happening is that the inspector is approving some things over which the builder does not have particular knowledge or control. However, the builder becomes the con-

duit through which the other approvals can all be related to that house and therefore that flows throughout the piece. If there are particular difficulties in other areas, it was my understanding that the certificate would have that effect of completing that chain. I thought that was the burden of the remarks made by the member for Scarborough Centre and I agree with him. That was all, Mr. Chairman.

**Mr. Makarchuk:** I want to mention a few comments. I think in this case that the parliamentary assistant is making a very serious mistake in denying this particular amendment. He is a man of the world. He certainly is not a naive person; he has been involved in these situations and he knows what goes on.

I think there are two major problems you should consider. In the first place, when the homeowner gets into the home, it is too late at that time to come to grips with a drainage problem. You cannot move out; you have to go and chase everybody all over the place and so on. This is one item that has to be considered.

The other item is the fact that there are very many ways in Ontario to get approval of a subdivision. Even though the plan of subdivision may initially appear to provide for adequate drainage, there is a possibility in the construction of that subdivision that the watercourses can be changed. They can be blocked partially or fully blocked. In this case, although initially there was no drainage problem, when the buildings are on the site drainage problems develop and become very serious.

The point once again is, it may effect one or two homes. The owners of the new residences at this time are unable to get back at the municipality. There is no hold-back. The municipality will probably find that the problem is caused by drainage somewhere further upstream or new development further upstream that is causing the problems in a downstream subdivision. You cannot get back at the municipality.

[12:15]

I will give you a situation that exists along Paris Rd. in Brantford which involves a CNR culvert, which involves a major highway and which involves a lot of things. It affects two homes which should not have been built there in the first place, and the homeowners have really no recourse—they have nowhere to go. They are stuck with their homes, they are locked into a mortgage,

and they have a backyard that's swamp at the best of times and a danger to the children in the worst of times. It fills up during a storm to about 9 or 10 ft of water, and there is a possibility of children drowning.

Once again, in this situation, there is nowhere they could go to try to resolve this problem. It seems to me that by eliminating this amendment, nebulous as it may seem perhaps, you are in effect not giving as much protection to the prospective owner as you could ordinarily.

**Mr. Hall:** In connection with the problems of responsibility in different areas, I would like to point out that to the best of my knowledge subdivision agreement requires the subdivider to place a performance bond or some other surety method relative to the proper execution and completion of all the works that are set out in the subdivision document. This, of course, includes site elevations on each lot. Moreover, there is a maintenance period after the completion of all the works at which time the municipality still holds the surety from the developer.

I submit to you that the nature of the problems that the amenders of the bill are suggesting would, in the normal course of events, be very well taken care of by a complaint to the municipality. Such a complaint would ensure that, to the extent there is a deficiency on grading or poor water drainage, the subdivider has an obligation under the terms of the subdivider's agreement, aside from part IX of the building code and aside from the other standards that go on. So it still seems to me to be redundant.

**Mr. Acting Chairman (Gregory):** All those in favour of Mr. Renwick's amendment say "aye."

All those opposed say "nay."

In my opinion, the "ayes" have it.

**Mr. Deans:** Wait a minute.

**Mr. Acting Chairman (Gregory):** The "nays" have it, sorry.

**Mr. Deans:** Wait a minute, your opinion was right the first time. We will stack.

**Mr. Acting Chairman (Gregory):** We will stack it?

**Mr. Deans:** You guys should listen.

**Mr. Renwick:** Mr. Chairman, we agreed with another chairman that we would deal with section 13 subsection by subsection. I would like to move an amendment.



**Mr. Acting Chairman (Gregory):** Mr. Renwick moves that section 13 of Bill 94 be amended by inserting after subsection 1 the following subsection 2:

(2) The owner may elect to treat a major structural defect as defined by the regulations as a condition of the contract for the sale of the home to the owner or for the construction of the home for the owner and not as a warranty, and if the owner so elects, the owner may reject the home and treat the contract as repudiated. and renumber the subsequent subsections accordingly.

**Mr. Drea:** Do you have a copy?

**Mr. Renwick:** Mr. Chairman, I regret that that is my last copy. I had innumerable copies of these various amendments. I distributed them all and I gave a copy to the minister. I gave a copy to my colleagues in the Liberal Party but, unfortunately, I have no further copy of that amendment.

**Mr. Drea:** Not that one, the other one.

**Mr. Renwick:** Yes, that's the one.

**Mr. Drea:** I haven't got it.

**Mr. Renwick:** You have it?

**Mr. Drea:** I have not.

**Mr. Renwick:** Perhaps you could have a look at that. Perhaps the parliamentary assistant, in due course, would send one back to the Chair.

Mr. Chairman, first of all, and extremely briefly because I dealt with this at some point on second reading, we are dealing only with major structural defects in this proposed amendment. And it is a clear statement that in the event of a major structural defect as defined in the regulation that, in those circumstances, rather than treat the matter as a warranty, the owner, that is, the purchaser of the home either from the vendor, from the previous owner or the builder, may treat it as a condition of the contract and, on that basis, repudiate the contract and not take the home. It's just that simple.

The reason for it is that we do, and have, for many, many years, indeed, going back into the last century, provided that identical situation in the sale of goods. Our fundamental principle throughout the debate in this assembly has been very simple: If you're talking about the major investment made by most citizens in the Province of Ontario over

the course of their lifetime, that person should not be required to take a home necessarily which has a major structural defect as defined by the ministry. He should be able to elect, if he cares to do so, not to treat it as a warranty but to treat it as a condition and to say: "I repudiate the contract and I don't want the house. You take it back." I emphasize, it's related solely to major structural defects.

**Mr. Deans:** And an excellent amendment.

**Mr. Renwick:** The amendment is the reverse of the situation which is set out in the Sale of Goods Act but has the same purpose. The Sale of Goods Act says:

Where a contract of sale is subject to a condition to be fulfilled by the seller, the buyer may waive the condition or may elect to treat the breach of the condition as a breach of warranty and not as the grounds for treating the contract as repudiated.

In the case of a sale of goods, if there is a condition in the contract, the buyer of the goods may treat the condition as a warranty and not repudiate the contract but take it as a claim for damages.

What we have said is that in the case of major structural defects, he may say: "I do not accept this as a warranty. I elect to treat it as a condition and have the right to repudiate the contract and to turn the house back."

The reason we say that is that if one looks at the definition of warranty, wherever it's used, then one usually finds that it is a term collateral to the main purpose of the contract and it's that breach which gives rise to the right to damages but not to the right to reject the item of the contract and treat the contract as repudiated.

It does seem to us, that in the case of major structural defects, you have to give the owner that particular right of election. In that case we think this bill would be immeasurably strengthened if the ministry could see fit to accept that amendment.

**Mr. Hall:** I will speak briefly on it. Do you want to respond first?

**Mr. Drea:** I would like to respond now, Mr. Chairman.

I am not going to accept that amendment. First of all, it takes me back about a year and a half because here we are on the same thing about rescission involving real property as we were in committee on Bill 55, the Business Practices Act. You will recall, while



it dealt with used homes, it didn't deal with new ones. At that time one of the problems was the time limit, the time span, the impact all along the line on the purchase and sale of real property. Very seldom is there an isolated case; it is always contingent upon something else happening.

On this particular one, before we get to the real impact of rescission, one of the things that interests me is, with the price of houses climbing, after three or four years what does the person get? Do they get what they paid for the house? How do they get their interest back? When you buy a house in the first three or four years you may very well put down only \$3,000 or \$4,000. Your interest really is about 99 per cent of your monthly payment. You accumulate very little equity. To me, it would be extremely difficult to arrive at a fair method of reimbursing, in terms of dollars, a home buyer who was unfortunate enough to be in a situation in which a major structural defect had occurred.

When you are talking about general warranty law you are talking about the defect being a condition because under general warranty law there is no obligation on someone to remove or correct that substantial defect. In this legislation there is an obligation; you've already paid for it.

Furthermore, as part of this programme, which is not part of any general warranty programme, there is inspection all the way along the line until the completion or the production of the product. In terms of the Sale of Goods Act there is no inspection under your control or by which you participate as a purchaser in the production of the goods or chattels.

In this particular case, if there is a structural defect, in practical terms of the housing market, in terms of the least inconvenience to and the most desirable results for the afflicted party it will be repaired, even if the repair costs \$100,000 or \$200,000. It brings the property back up to standard and that, surely, is much more desirable.

I would suggest to you while this amendment certainly isn't clear as to the compensation or the damages which might be possible after rescission there is no court, at least none that I know of as a layman, which would say that because you bought something in 1976 at a value of X dollars which turned out to be faulty and now, in 1980 or 1981, it costs \$X plus \$500 you have to be compensated for the \$500 because you are now going out and starting all over again.

[12:30]

You would be into immeasurable difficulties about taking back. When you are considering the amount of the interest payment, that may be easy to determine. But how do you determine the amount of use the particular person or the family has had out of the dwelling place? I suggest to you, Mr. Chairman, having cited just a number of practical difficulties plus the overriding consideration that there has to be consistency and finality in real property transactions, otherwise real property transactions turn into chaos, and on those grounds the amendment is not acceptable to the government.

**Mr. Hall:** Mr. Chairman, the member for Scarborough Centre has covered some of the points involved. I'm not a lawyer but I really don't now how the member for Riverdale would, in law and in equity, put such a circumstance to finality in terms of the passage of time, the increase in value of the asset or the decrease over the period of years.

While there might be, on the surface of it, a feeling that it is fair to say, "They didn't do it right, so they should get it back," the purpose of the guarantee fund is to provide the dollar amount for it, and I submit it's the only possible way of coming out with fair damages to a person who is entitled to compensation by reason of a structural defect that has occurred. The other route which this amendment suggests would raise more problems than it would solve, even though the intent at first glance is one of an attempt at fairness. I would have to feel that the guarantee fund would offer better hope.

**Mr. Acting Chairman (Gregory):** All those in favour of Mr. Renwick's amendment will indicate by saying "aye."

All those opposed will indicate by saying "nay."

In my opinion the "nays" have it.

**Mr. Deans:** We will stack it.

**Mr. Acting Chairman (Gregory):** Stack it.

**Mr. Renwick:** Mr. Chairman, the parliamentary assistant will probably recall and the House may recall we indicated that unless at least two or three of the major amendments which we were proposing to the bill were acceptable to the government we would be required to vote against the bill on third reading and we have just reached that point.

[The question about the nature of the corporation that was to administer this Act, the question of the kind of warranty with respect to drainage, and now this question as to whether or not a major structural defect

could be treated as a condition falls within that category, as do other of the amendments and particularly this next one which we will now propose.

**Mr. Acting Chairman (Gregory):** Mr. Renwick moves that subsection 3 of section 13 of Bill 94 be amended to read as follows: "An inspector appointed under section 18 shall deliver to the owner a certificate certifying the date upon which the home is completed for his possession and the warranties take effect from the date specified in the certificate."

**Mr. Renwick:** Mr. Chairman, my colleague, the member for Wentworth, pointed out in the course of second reading of the bill the essential missing link in the bill which the government has put before us, and that is the role and position of the inspector. If one reads section 18 of the bill, you are really only talking about an inspector in the aftermath of having accepted the home. The clause dealing with inspectors, as drafted in section 18 of the bill, does not relate clearly and definitively in any way to the provision contained in section 13 (3), which presently reads in the bill:

The vendor of a home shall deliver to the owner a certificate specifying the date upon which the home is completed for his possession and the warranties take effect from the date specified in the certificate.

There's nothing in that clause which indicates in any way that the owner must accept the certificate. It's the mere handing of the certificate, whatever that may mean, from the vendor to the owner, which completes the procedures outlined by the ministry in the bill; and the owner of the home, the person who's buying the home, has absolutely no alternative but to accept that certificate.

I see the parliamentary assistant shakes his head, but if he then wants to put in this bill the specific provision that not only shall this certificate be delivered to the owner, but shall be accepted by the owner on his part, so that there are two parts to it, that at least gives the owner the opportunity to say, "Well, I want to have this home inspected before I accept this certificate."

The parliamentary assistant is scratching his head. I don't know whether it's because of something I said or because the hour of the day it is.

**Mr. Drea:** Just scratching.

**Mr. Renwick:** Just scratching, that's fine.

You see, if a person is sufficiently well-to-do to have a builder build a home and to

hire an architect as well to stand between himself and the builder with respect to the procedures to be followed for the acceptance of the home, then it's normal and customary procedure, not only with respect to draw-downs on the building of the home but on the final completion of the home, for the architect's certificate to perform the function which you're now allowing the vendor unilaterally to perform. There is no one independent in the relationship between the vendor and the owner with respect to this certification; it's the end of the road—the vendor simply gives it to the owner, who has to take it and who is stuck with it.

It seemed to us to make very good sense that the inspectors, whoever they may be that are going to be provided under section 18(1) of the bill—and we have a consequential amendment requiring the corporation to appoint inspectors—they are the ones who should give the certificate with respect to compliance with the provisions of the bill. We would urge that if the government will not accept our provision with respect to the inspector's certifying, at least they make provision to protect the owner by saying that the vendor must give a certificate but the owner must accept it before he's required either to take possession or before the time under which the warranties begin to run commences; then the owner of the property, if he so wished, could arrange to have the property inspected or arrange, during the course of the construction, to have it inspected.

The kind of bill we envisage, and the kind of bill we've been talking about, must provide for that kind of independent inspection to be carried out by the inspector so that he is the one who has the obligation to give the certificate with respect to these warranties.

**Mr. Deputy Chairman:** Is there any further discussion on the amendment?

**Mr. Deans:** The point I want to make is this: The bill is not a very good bill to begin with, in my opinion, but if you were to make adequate provision for proper inspection, then at least that aspect of the bill that will benefit the purchaser would be guaranteed. There is no requirement anywhere that inspection take place during the course of building. There's none. There's no requirement on anyone to inspect. If the person who is lending, or the mortgage company doesn't inspect properly, there is no guarantee that there will be any inspection of any kind.

The municipalities across the province don't provide for inspection of homes as they're being constructed. The Ontario Hous-



ing Corp. has done away with the inspection that it had up until now. Central Mortgage and Housing only inspects those homes which fall within its jurisdiction. At this point in time there are no inspectors inspecting the homes as they're being built to determine that they will be built according to any standard. There are no inspectors under the Ontario Building Code who will be doing any inspecting in the homes. There are no inspectors.

**Mr. Drea:** The local building inspector.

**Mr. Deans:** The local building inspector does not inspect homes other than to determine that they comply with the municipal bylaws.

**Mr. Drea:** That's now the Ontario Building Code.

**Mr. Deans:** It is not. There is no guarantee of any kind that there will be an inspection for the purpose of this warranty of every home as it's being built. There's none. My God, you had inspectors for years under the Home Ownership programme, and they didn't inspect much of what was going on because there weren't enough of them, and it just is impossible to imagine the municipalities assuming that responsibility. They can't assume it.

So if you're relying on municipalities to hire a sufficient number of inspectors to inspect on an ongoing basis to ensure that the home was built to standard, you're wrong. And if you think that by virtue of simply having inspectors available to inspect deficiencies as they're brought to the attention of the programme, you're also wrong. And if you believe that the inspection process is the key to ensuring that the home will be built according to a reasonable standard, then you have to have some control over that inspection process.

I suggest to you that since there has to be a final inspection, and since that final inspection has to be done in accordance with and paying recognition to all of the other inspections that should have taken place throughout the development of the project, then there is no harm and a great deal of benefit in having that final inspection produce a certificate which is then given to the purchaser saying that all of the inspections have taken place, and that the home is now built according to the standards set out in this Act, and this Act is now operative on your behalf.

It's not the responsibility of the builder to do that. It is the responsibility of the inspector. I urge that that be done and however

that is transmitted to the purchaser, that it be on the authority of the inspector who did the final inspection, and on no other authority.

**Mr. Cunningham:** The point I would make here is that from my point of view as a non-lawyer, there would not be a privity of contract between the inspector and the buyer of the home. This disturbs me in that I think the fundamental relationship is between the buyer and seller. Anything that can be done, assuming there are any defects at the time of the purchase of the home, should be rectified and settled between the buyer and the seller. Then we would be in the position, hopefully, that we wouldn't have to look at a remedy through the courts or through the warranty programme with the buyer and the seller, but rather settle what few and minimal difficulties I would anticipate are going to occur once this piece of legislation is in effect, and once the people that are involved in construction of houses are forced to operate within the confines of that legislation. So with that in mind I don't think our party can support this amendment.

[12:45]

**Mr. Renwick:** Mr. Chairman, I just want to make a very brief comment in view of the comment made by the member for Wentworth North. The bill specifically provides, without being legal about it, that a warranty is enforceable notwithstanding that there is no privity of contract between the owner and the vendor.

It would seem to me that what we are simply saying is that the certificate we are making provision for in subsection 3, by amending the bill in accordance with this amendment, is specifically to provide that there is an independent person in between the vendor and the owner, who will make the certification upon the basis of which the warranties will then commence to run. The person who is buying the home will then be in a position to say, "I am taking possession of this home on the basis of this certificate and on the certification that various things have been done, and I now have the benefit, if they have not been done, of the warranty which is provided." I would hope the assembly might support us, even though the ministry and the Liberal Party would not.

**Mr. Drea:** Mr. Chairman, the reason that we are not going to accept this amendment is that it's not necessary. Let me explain why it is not.

First of all, all this particular section does is to set a date for the commencement of the second phase of the warranty programme.



The first phase is, as you know, prior to completion and acceptance. If something goes wrong with the deposit, you get your deposit back. The second stage is for one year after the completion and this involves the relatively minor matters that the member for Wentworth North has talked about. Then thirdly, there is the five-year span on the major structural defects.

The forms that are already being used in the HUDAC programme are not merely for delivery by the builder of a document on a take-it-or-leave-it basis and if you don't want it you are stuck with it. There are two sections on the back of them. One is the builder's certificate; one is the purchaser's certificate. Each has to sign. The builder certifies that,

The home described on the face thereof is substantially completed and ready for possession by the purchaser on the date of possession, and subject only to the completion of seasonal work and items of a minor nature, more particularly described on the face hereof.

The second part is that the warranty commences on that date of possession. The purchaser's certificate, which he signs, says,

The purchasers have inspected the home described on the face hereof, and such home is substantially completed and ready for possession by the purchaser on the date of possession, subject only to the completion of seasonal work and the minor matters described on the front of the certificate.

They both have to sign. The way the programme will work—

**Mr. Renwick:** That is not what this says.

**Mr. Drea:** That is not what what says?

**Mr. Renwick:** It is not what the Act says.

**Mr. Drea:** All the Act says is, "The vendor shall deliver to the owner a certificate specifying the date upon which the home is completed for his possession . . ." If the purchaser does not complete the back of the form, there is no completion of the dwelling. There is no warranty that goes into effect. Both have to sign.

**Mr. Renwick:** It says so in the Act.

**Mr. Drea:** Yes, I know, and the corporation has the right to make bylaws, and right now the corporation has the bylaw that both have to sign on the back before the transaction can be considered completed for possession and the second two phases of the warranty programme go into effect.

**Mr. Renwick:** But the bylaw can't override the statute.

**Mr. Drea:** But the statute does not infringe upon the bylaw. It says he shall be there with a copy of this to deliver it.

**Mr. Renwick:** It doesn't say anything about that.

**Mr. Drea:** If the purchaser does not sign it, there is no delivery. There is no completion for possession date. It goes back to square one.

**Mr. Renwick:** That isn't what the Act says.

**Mr. Swart:** You are wrong, Frank.

**Mr. Drea:** I am not wrong. I am right. I am right. You are being redundant over there as you have been all day. If I could point out: "On or about the closing of the sale and possession of the house by the purchasers the builder will complete the upper part of the certificate"—that's the certificate of the builder that I described—"and the purchaser and the builder will make a joint inspection of the house and note any and all deficiencies that require correction or completion. Both will sign on the reverse as indicated." If one of the two doesn't sign, obviously there is no agreement that the dwelling has been completed for possession. It is still under the first phase of the warranty programme, which means that your deposit and so forth are protected.

To have an inspector there at that time would mean you are going to tie up 20 to 25 inspectors across this province. The purchaser is going to have to pay the salaries of those inspectors. Bear in mind that the particular dwelling has been inspected three, four or five times in each phase of construction.

**Mr. Hall:** Probably 25.

**Mr. Drea:** My friend from Lincoln says probably 25—and with the amount of money at stake it may very well be.

Whatever deficiencies there were have been corrected. By virtue of the fact that this house is considered completed for possession, the inspector has already certified that it is free from substantial defects. When you say completed for possession there is a tendency around here to think we've built a shell house. It's not true at all. There are certain things you simply cannot do and shouldn't do in December in terms of the product you are buying—as simple a matter as sodding or per-

haps the asphaltting of a drive or a few things like that. That means that it is almost completed for possession. I think that is a very fair arrangement.

If the purchaser does not agree to sign the back of that form, does not in effect say "I am satisfied that the dwelling is completed for possession purposes," what happens then? The immediate step is that the council of the corporation comes in and mediates. And whom would they use as the mediator? Obviously it will be the inspector or his supervisor, who went through all the proceedings as that dwelling was being erected. If at that time the purchaser still isn't satisfied, then obviously he has other remedies through the council and on up to the Commercial Relations appeals tribunal.

It is not simply a matter of the builder strolling along the street, coming up to you and saying, "Here is your copy; the dwelling is completed for possession purposes," and you not having any rights in it whatsoever. You have every right in the world. As a matter of fact the form takes them into account. On the front there are about 18 lines—there is plenty of space to list anything that you consider to be a deficiency.

It obviously isn't a status quo document. It is a document that says you are ending the first phase of the warranty programme and are entering into the second and into the third. There has to be some date for the one-year and the five-year protection to commence on. There has to be some coming together by the vendor and the purchaser to look at the product.

It is really that simple. To tie up an inspector whose function is to ensure that the dwelling is completed with the least number of defects—to tie him up handing out certificates—really begs the question of the whole inspection process. The inspection process is not for delivery—it is a preventive process to make this entire programme financially viable and within the means of the average home buyer. The point is that for the first time the average home buyer will have the benefit of the architect, will have the benefit of the specialist and will have the benefit of the general contractor with experience. No longer will that be left to those who have substantial means. To try to compound all of that by bringing in one additional person just to hand over a document and just to walk you through the dwelling is just one more attempt to undermine the scope of the entire bill.

**Mr. Moffatt:** Mr. Chairman, I have listened to the reasons given by the parliamentary assistant—

**Mr. Deputy Chairman:** Order, please.

**Hon. Mr. Welch:** Excuse me just for a moment. If there is to be further discussion on this amendment, this might be an appropriate time to move that the committee rise and report and we will resume this discussion when we get back into committee.

**Mr. Drea:** Are you going to be long?

**Hon. Mr. Welch:** Is there very much more discussion on this amendment?

**Mr. Breithaupt:** There are amendments that will have to be put anyway, won't there? But this could be completed now.

**Hon. Mr. Welch** moved that the committee rise and report.

Motion agreed to.

**Mr. Deputy Chairman:** The committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

#### LAKE SUPERIOR BOARD OF EDUCATION ACT

**Hon. Mr. Wells** moved second reading of Bill 122, An Act respecting the Lake Superior Board of Education.

**Mr. Swart:** It is unlikely that we in our party will ask to divide on this but what are the special circumstances whereby the Lake Superior Board of Education should be given an exemption from having to have the approval of the Minister of Education when all other boards will still be required to do so?

**Hon. Mr. Wells:** I would be happy to answer my friend's questions. If he'd conferred with his colleague, the member for Lake Nipigon (Mr. Stokes), I think he could have learned the special circumstances concerned. This is being done to a large degree in consultation with and at the urging of the member for Lake Nipigon.

**Mr. Shore:** They are not talking to each other obviously.

**Hon. Mr. Wells:** The Education Act provides that in order to sell property a school board must declare that it does not need that property any longer. I don't think that



general principle should be changed in the Education Act. The Lake Superior Board of Education owns a number of residences, which up to the present time I understand they have been renting to teachers. They would like to sell those residences to the teachers who are teaching for the board but with the special arrangement that they can buy back the properties when those teachers leave the community, if they do at some time in the future.

That means that the board cannot in good conscience pass a resolution saying they do not need that property any longer because they do not wish to say that. They want the teachers who are there to have those houses and the property on which they stand while they are teaching there, but they also want to be able to put this special arrangement in so they can buy back the teacherages, as they are called, when or if those teachers decide to move out of the area.

It's the opinion of our lawyers that this cannot be legally done under the present Education Act. It is also our opinion and my opinion that we shouldn't do this generally for every board in the province. Because the Lake Superior board and the member for Lake Nipigon and others have suggested that it would probably be something that could be done specially for this board, we would do it. It should be done as a private member's bill, but since the time for that has passed we agreed to bring it in as a government bill.

Motion agreed to; second reading of the bill.

[1:00]

### THIRD READING

The following bill was given third reading upon motion:

Bill 122, An Act respecting the Lake Superior Board of Education.

### LEGISLATIVE ASSEMBLY AMENDMENT ACT

Hon. Mr. Welch moved second reading of Bill 123, An Act to amend the Legislative Assembly Act.

**Mr. Deans:** Due to the lateness of the hour, I just want to say that these are matters which were brought before the Board of Internal Economy during its deliberations of the estimates and at other

times, and they are the result of deliberations by the Board of Internal Economy with regard to a number of concerns and changes that have to be undertaken in order to keep pace with the times.

I'd like to make a comment or two with regards to the provision of research funding. It has been my belief, ever since I entered the Legislature, that every member of the Legislature should, by right, be entitled to access to adequate research. I think it was an oversight on the part of the Camp commission not to include that recommendation. I think lack of research facilities has been an oversight on the part of the Legislature for a number of years. Somehow or other we assumed that because the government back-benchers were the government back-benchers, they were automatically able to get the kind of research done on their behalf through the ministries that would enable them to carry out their functions as a member of the Legislature to a degree which would satisfy their constituents.

I've never believed that, and I don't believe it now. I think that all members are entitled to have access to a research facility which will enable them to not only peruse the estimates adequately, not only look at the legislative proposals with some confidence that they're being guided properly, but will enable members of the Legislature to act on behalf of their constituents with regard to research which may not, as yet, be before the House in terms of bills or expenditures.

So with that in mind, as a member of the Board of Internal Economy and as a member of the Legislature, I am delighted to take part in ensuring that no matter which party occupies the government benches, that the back benches of that party should be funded to the extent that they will be able to carry out their legislative responsibilities in a way which is commensurate with the powers and the positions that they have obtained at the polls.

The other matters before us in this bill are self-explanatory. They either respond to particular and unique circumstances of northern members, or they respond to some changes in costs which are now being experienced by all members of the Legislature required to come to Queen's Park and to carry out the business of the province. For that reason, we will support the legislation.

**Mr. Breithaupt:** Just briefly in speaking to this bill, it does, as the member for Wentworth says, dealt with certain items which have been dealt with by the Board of Internal



Economy, of which I happen to be the member representing the Liberal Party.

The situation with respect to research is one which may cause some particular comment in committee, as there is a difference in opinion as to the use of certain funds and as to how government back-benchers should be provided with certain research facilities within the Legislature.

We're not prepared, of course, to divide the House on a bill like this, even though we have a view with respect to research which we can have made known in committee. I would suggest, Mr. Speaker, that if the bill goes to committee of the whole House later on today, those points can be raised at that time.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** I understand you are prepared to direct it to committee of the whole House?

Agreed.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

## BUDGET DEBATE (continued)

**Mr. Lupusella:** Mr. Speaker, it is with pleasure that I rise to present my first major speech of this session. As a new member of this Legislature and a new Canadian, I'm honoured to be given the opportunity of serving the people of Ontario. It is out of my desire to fulfil this obligation that I must express distress at the general tone and the specific provisions of the budget presented by the Treasurer (Mr. McKeough) in early April.

The approach of this government is best summarized on page 4 of the budget. Let me quote the section to which I am referring:

My colleagues and I believe that the thrust of provincial policy should be to rely on private sector expansion to generate growth and employment. This does not imply a purely passive role for the government. It requires an active role in ensuring that the necessary resources flow into private activities and are not usurped by government spending and borrowing.

That is the heart of the matter and the heart of Conservative and Liberal philosophy—

using the government to ensure that the resources flow into private activities, and that is precisely what this budget serves to do.

The funds are flowing from the hands of the working people of this province into the pockets of big business, the major financial institutions and the wealthy. Cutbacks in social services, closing of hospitals in small towns and in a major ethnic area of Toronto, raising of Ontario Health Insurance Plan fees, forcing municipalities to increase property taxes, failing to raise the minimum wage above poverty levels, raising the residency requirement for senior citizens to get access to the GAINS programme and imposing the federal wage and price controls on provincial employees—these are ways the government is actively attacking the working people of Ontario.

This is particularly clear in the area of health and safety. While this budget makes people pay more for basic health care, the government continues to do less than it should to ensure the health and the safety of the people of Ontario. We get some sense of the state of affairs in industrial safety when we note that Ontario, along with the rest of Canada, has the highest incidence of industrial accidents among the major western industrialized nations.

We keep hearing how many strikes we have in this country. In Ontario in 1973, 1.6 million person-days were lost due to strikes, but 4.6 million person-days were lost due to injuries. Accidents caused almost three times as much lost time as strikes. The chance of being injured on the job in this province is very high indeed.

Taking the figures of the Workmen's Compensation Board alone, which doesn't even cover all workers, we find that the number of reported injuries in 1974 was 443,234, or approximately one for every eight workers. Three hundred and seventy-six people were killed at work—more than one per day. Whatever safety measures the government has taken have been insufficient because the rate of injury and death is going up faster than the size of the work force.

But, should a worker get injured, his or her real troubles are often just beginning, for in most cases they fall under the jurisdiction of the Workmen's Compensation Board. The Workmen's Compensation Board in design and in operation is one of the real disgraces of this government. Although most of its employees mean well, the board has become an added burden to the injured worker, not his helper in time of trouble. From the outset, the purpose behind setting up the Workmen's Compensation Board was couched in the

liberal social welfare rhetoric of seeing that injured workers were properly protected. In actuality, the board is a cheap insurance plan for employers. This fact is clearly spelled out in the Workmen's Compensation Act itself.

**Mr. Grande:** He's right.

**Mr. Lupusella:** Part I, section 8, states that an injured employee forfeits his or her rights to any legal action against the employer, however negligent the employer has been, if that employee accepts benefits from the Workmen's Compensation Board. How nice for the employer. By paying a small fixed sum, the employer is protected against the great majority of legal action to which he might otherwise be subjected.

In setting out the details of the operation of the board, this government's stinginess to the victims of unsafe working conditions is disgusting. For example, clothing allowances for amputees are only available upon application. Every amputee who applies gets the allowance but the government saves money because some amputees do not know about the allowance, and therefore do not apply.

**Hon. B. Stephenson:** They are all informed.

**Mr. Lupusella:** You know that you had better change this Act. In a province where the average cost of burial is \$1,200, the Act only allows \$600 for the burial of a worker killed on the job. I guess the difference is sort of a deterrent fee.

Widows of workers killed on the job get a miserable \$260 a month. For each child under 16, the family also gets \$70. Scrooge himself would quake at such stinginess.

If a worker survives his or her accident, but is permanently and totally disabled, life is none too bright. Most permanently and totally disabled workers are forced into poverty permanently and totally. At best, they can get \$216.35 a week, but only the few who earn over \$15,000 a year can get this much. Most injured workers get closer to the minimum pension of \$400 a month—a pension that gives a yearly income \$2,700 below the poverty level.

Permanent and total disability means permanent and total poverty for the majority of injured workers, because of the stinginess of this government.

For partial disability, the worker receives payment according to the permanent disability rating schedule. I will illustrate the policy with the case of a person who has a foot amputated. Remember, total disability gets a worker 75 per cent of his or her former

salary up to a maximum payment of \$216.35 a week. The person who had his foot amputated gets 25 per cent of 75 per cent of his former pay. If he made \$150 a week before the injury, his pension as a result of the loss of his foot will be 25 per cent of 75 per cent of \$150 or \$28.13 a week.

As you might imagine, a manual labourer with one foot has limited job prospects. He cannot return to construction. But, typically, because of his lack of other skills and education few other jobs are open to him.

**Hon. B. Stephenson:** What about the rehabilitation process?

**Mr. Lupusella:** It is not working. It's a failure; it's chaos.

[Those jobs that are open tend to be at the very bottom of the wage scale, yet \$28.13 is supposed to compensate the worker fairly.]

The light work that is supposed to be available to partially injured workers is mostly non-existent or unavailable.

[1:15]

One other unacceptable feature of the Act is its failure to provide adequate protection for workers injured many years ago. While their pensions have been adjusted from time to time, the Act has never come near to keeping up with the cost of living. Also, a normal worker's income increases with his or her seniority, but an injured worker's level of income at the time of the accident is the ceiling. Not only has the Act failed to protect the injured worker from the ravages of inflation, it has also failed to make adequate provision for normal wage growth due to seniority.

My comments to this point on workmen's compensation have been to show how the government has been unfair to the workers of Ontario in the way it has drafted and revised the Workmen's Compensation Act. Now I would like to show that the government's stinginess and unfairness is matched in full measure by the board itself.

Where the government sets pitiful compensation limits, the board functions to minimize its payments to workers within these limits. The board is reluctant to classify anyone as totally and permanently disabled. In the only year for which detailed data are available, 1971, out of 367,000 injuries the board was only willing to classify 54 as total and permanent disabilities. Only one per cent of all injuries were labelled as partial, permanent disabilities, and even these were given the smallest of pensions possible.

I must say that in the course of my case work, I run across many government agencies.



I know none that makes life more difficult for its clients than the Workmen's Compensation Board. The difficulties in getting information, delays in payment, lost or misplaced files are regular occurrences at the board. When a worker appeals, the troubles double. The appeal process is often long and the worker treated as an opponent.

The opposition of the board to the interests of the injured workers is also seen in their reluctance to supplement pensions, even when revisions in the Act give them the power to do so. Of the hundreds of thousands of injured workers eligible for pension supplements in 1973, only 956 were granted supplements. Again in 1974, out of the many eligible, only 1,022 permanently disabled workers were granted pension supplements.

**Hon. B. Stephenson:** How many applied?

**Mr. Lupusella:** You don't know those figures? I think you should move to do something—

**Mr. Speaker:** Order, please. The hon. member for Dovercourt has the floor.

**Mr. Lupusella:** The Act keeps injured workers below a decent standard of living. The board finishes the job by allocating as little as possible, treating injured workers as if they were dishonest cheaters trying to take money to which they are not legally and morally entitled.

I might add that the board's stinginess is not out of economic necessity. At the moment, the board has about \$600 million invested in Hydro bonds for future reserves.

**Hon. B. Stephenson:** It's not for future reserves; it's for present reserves.

**Mr. Lupusella:** So why don't you give this money to the workers?

**Hon. B. Stephenson:** It's being used. That's where the funds come from.

**Mr. Lupusella:** It pares the income of destitute injured workers to the bone.

The behaviour of the board and the implications of the Act can be most clearly seen in some of the actual cases of injured workers with whom I have been involved. Since the abuses are so rampant, any of a thousand cases would do. I will simply bring one to your attention, Mr. Speaker. Because the case is still being appealed, I will use fictional names but otherwise present the actual facts of the case.

The case is that of a Mr. Salvatore Alviani. While working on a construction site, he

was struck on the head with a crane hook and knocked unconscious. Since that time, Mr. Alviani has been completely helpless. He needs constant supervision as he is unable to feed or clothe himself. He simply sits, day in and day out, gazing vacantly. He very frequently falls and is often covered with bruises.

Here is a man who was a good worker, with an unblemished work history, who is rendered a vegetable by being struck on the head with a crane hook.

What is the reaction of the board to this man whose life is literally destroyed by his injury? They talked about a provisional award of 10 per cent to 30 per cent which meant between \$11 and \$33 a month. How in the name of God a family is supposed to live on that I don't know. Maybe the Minister of Labour (B. Stephenson) knows. It would barely buy one week's groceries.

The board has tried to suggest that Mr. Alviani's difficulties are psychiatric and mostly unrelated to his injury. Fortunately, some courageous employees of the board and Mr. Alviani's doctors have not let the case rest.

Mr. Alviani's Workmen's Compensation Board file reports the following result of Mr. Alviani's assessment at Queen St. mental hospital:

The doctor informed us that a series of tests have been carried out and all possible examinations have been done for Mr. Alviani but they felt that there was nothing they could do for Mr. Alviani. He [the doctor] felt Mr. Alviani was totally disabled and that there was no hope for him. He wanted to inform Mrs. Alviani that considering that they could not do anything more for Mr. Alviani, they were ready to release him if she wanted him home.

[Two months later, another report continues] The Alvianis have been contacted regularly since my last report. Mr. Alviani was discharged from the hospital and in care of his sister, who found him unmanageable as he required constant supervision and assistance in shaving, dressing and eating. She felt she could not cope with him and became ill and returned him to Queen St. mental hospital.

Mr. Alviani was then released once again because he developed stomach problems and he was admitted to St. Joseph's for a gall bladder operation. Meanwhile, his wife was also there. She was apparently on the critical list for some time. When I last visited her she was again in bed with severe pain over her operated area and Antonio,



the little boy, had just come home to boil an egg for her.

Here is a man whose life has been destroyed and a family struggling to make do.

The doctors are in agreement that Mr. Alviani is completely and totally disabled, and that this disability is the result of his accident. The psychiatrist to whom the board referred Mr. Alviani gives this report in December, 1975:

We do not have evidence that this man ever suffered from mental illness prior to the occurrence of the accident and on the basis of the information which I was able to gather from the board's documentation and from his case worker and from his cousin, it appears Mr. Alviani was a rather well adjusted man prior to the occurrence of the accident and he also has a good work record. I do not believe that any form of psychiatric intervention would be likely to determine any improvement. I think that we have extensive evidence to consider Mr. Alviani 100 per cent disabled.

We have a man injured six years ago. He is still waiting for the board to award him a full permanent disability pension for an injury his doctors agree caused his total disability.

Two other points arise from this case. One of the board doctors, who has been fighting for Mr. Alviani, points out a disturbing fact in a recent memo. He said: "Mr. Alviani was struck on the head and the possibility of a brain injury has arisen and had really not been properly settled."

Do you realize, Mr. Speaker, that we now find out that in the board's rush to class this as an unrelated psychiatric problem it has not properly settled the issue of the brain injury?

A second concern of mine comes from a recent memo from a senior board doctor. Admitting that, in his words, "we should now consider him to be 100 per cent disabled," this doctor adds: "Limitations should apply."

This means, in the board's language, that they should pay less than the full compensation due. The doctor then explains why there should be limitations. I want you to listen to his exact words. I quote: "As he did have restriction of intelligence, education and cultural background that were, in effect, pre-existing psychological difficulties."

The implications of this statement makes it beyond contempt. Being an immigrant, and not having had the opportunity to complete grade 13 are considered psychological diffi-

culties. According to this senior board doctor, this should allow the board to reduce the worker's totally deserved pension.

I can assure you, Mr. Speaker, that this type of—

**Mr. Davidson:** Discrimination in the board.

**Mr. Lupusella:** —thinking is all too typical of the board.

I have many other cases here, but I need not go further to make the point that something is seriously wrong. The past operation of the board deserves serious investigation by a royal commission. The almost half a million workers injured in Ontario each year deserve better than they are presently getting. The social and cultural bigotry that appears all too often in the decisions of this board must be stamped out. That is what you have to do.

When a worker is injured, he or she should not have to face another ordeal and be subjected to poverty. The terrible record of the Workmen's Compensation Board makes it clear that it should be put out of business and replaced by a universal accident insurance plan that protects all people whether injured on or off the job.

Negligent employers should remain liable for legal action, whether compensation is paid or not. The health and safety laws should be vigorously enforced by the government.

Injured workers should be eligible for full compensation. There should be no ceiling. The compensation should take into consideration the changes in the cost of living and the normal wage increments to which the worker would have been entitled had there been no injury.

All injured persons should have the freedom to choose their own doctors. Should there be disagreement about the nature or extent of disability, the patient's doctor, and the government doctor, would agree on a third doctor to arbitrate.

Pensions to widows and widowers would include the full cost of a decent burial, and future support, depending on the full expected earning capacity of the deceased, taking into consideration changes in the cost of living as well.

It is my own view, as I said a moment ago, that there should be a royal commission inquiry into the operation of the Workmen's Compensation Board. For too long the workers of this province unlucky enough to be injured have had to suffer unduly be-

cause of the way the board has operated. The modifications introduced in 1974 have not changed the fundamental problems. The dark corners of the board need to be exposed to the light of day. The many dedicated employees of the board, who are themselves ashamed of the overall board operation, need to have the record set straight. The workers who have been victims of 19th century racial and ethnic conceptions on the part of the board need to be given their due. The whole operation is badly deserving of a comprehensive impartial, and public investigation.

[1:30]

But more must be done to prevent accidents and assure safe conditions on the job. More must also be done to reduce environmental damage. The government's record in these areas is terrible. Only constant pressure forced the closing of the United Asbestos mine and mill in Matachewan, in spite of some of the worst asbestos pollution ever recorded. Other cases are less dramatic, but show the government's reluctance just as clearly.

In my own riding, a small bed-spring factory, Kelson Spring Products Ltd., has been violating anti-noise regulations for some time. We have had to fight for several years to get any action taken. The residents of the neighbourhood can't sleep, and generally have their lives seriously restricted, because of the excessive noise of this factory. I am afraid to imagine what it is doing to the hearing of the employees who have to work in the noise day in and day out.

Because of the failure of the government to act, citizens finally laid two charges against the company—one for violating the city anti-noise pollution bylaw and one for violating the Ontario Environmental Protection Act. Both charges were heard last December and were dismissed on a technicality. Now comes the most revealing part of the story. After the charges were dismissed, the head of the Ontario Ministry of the Environment's anti-noise branch—the chief person responsible for enforcing the anti-noise law—offered congratulations and handshakes to the company. He is quoted in the *Globe and Mail* of Dec. 9, 1975, as saying afterwards: "We don't think prosecution is the way to do it."

Just think of this: The government's agent for enforcing the law congratulates the accused for getting off on a technicality and then says he doesn't believe the law should

be used anyway. Mr. Speaker, I find this absolutely appalling.

In regard to lead pollution, the critical decisions are in the hands of the Minister of the Environment (Mr. Kerr) right now. I hardly need to remind all of us, Mr. Speaker, of the widespread citizen concern about lead pollution at the Prestolite Battery Division on Dufferin, Toronto Refiners and Smelters on Bathurst, and Canada Metal on Eastern Ave. in Toronto. After a number of children were found to have dangerous lead levels in their blood, citizens demanded that these polluters be forced to clean up. The companies resisted actively.

Although steps were taken to reduce the lead emissions, there remained considerable worry that years and years of excessive lead emissions have led to a massive buildup of lead in the soil of the houses and play yards near these plants.

A number of committees, hearing groups, and others have officially investigated this issue. In reports to the Minister of the Environment, the Robertson committee and the working group on lead agreed that the danger level for lead in the soil is 1,000 parts per million. Soil with that level of lead has to be removed. The companies have tried to discount the importance of lead in the soil and recent reports of the lead data analysis task force have made it clear that lead in the soil is the concern. Let me quote the report:

It is clear that people living near the plants studied, have an increased risk of acquiring an elevated concentration of lead in their blood. Exterior sources of lead such as dustfall and soil would seem to be mainly responsible for blood elevation in the plant areas.

The reason I raise this issue now is that the minister has just received the recommendations of the Environmental Hearing Board. It agrees that toxic soil is a danger and must be removed but, unlike the usual standard of toxicity of 1,000 parts per million, the Environmental Hearing Board recommends only removing soil with 3,000 parts per million.

I urge the government not to allow its budgetary policy of helping funds flow into private hands to serve as the basis for allowing companies to get off with this lax standard. They must be made to remove all toxic soil, and the definition of "toxic" must not be changed from 1,000 parts per million, the usual definition, to 3,000 parts per million, just to save the companies money. The health of our children is too important.



I am also distressed by the minister's comments after receiving the Environmental Hearing Board report. He is reported to have said that he was not too fussy who removed the soil as long as it was removed. I agree with his desire to have toxic soil removed, but the polluters must be made to bear the costs of the removal, not the taxpayer. If this government wants to save money, here is a fine place to begin. Make those who have polluted the soil and made profits in doing so, pay the bill to fix the environment up. And make them fix it up now, and completely. No redefinition of terms to get them off the hook should be allowed.

The need for change is great. In so many ways, the capitalistic philosophy of both the government and the Liberal Party has worked to the permanent disadvantage of the average person in our province. This budget has provided more examples of this, both by what it has included and what it has failed to include.

The people of Ontario deserve better than they are getting, and I hope some of my comments will point to how we may move ahead.

**Mr. Grossman:** Mr. Speaker?

**Mr. Speaker:** Yes? The hon. member for St. Andrew-St. David.

**Mr. Grossman:** St. Patrick, we haven't taken over that one yet. Mr. Speaker, I wanted to rise to participate in this debate to discuss an issue that suddenly has reared its head again not only in my riding but across Metro Toronto, and that is the paving of the Spadina arterial.

Now, the decision of the Premier (Mr. Davis), somewhat altering the 1971 decision, was made on Aug. 8 last.

**Mr. Nixon:** Some altering—you mean re-instating it.

**Mr. Breaugh:** Read it.

**Mr. Grossman:** I am going to read part of it and we'll also discuss the Liberal position on it, if time allows but—

**Mr. Breaugh:** Oh, I hope so.

**Mr. Grossman:** The Liberal position on it isn't all that important. We probably shouldn't take too much time on it.

**Mr. Nixon:** Well, it is the only position that has remained unchanged in the three parties.

**Mr. Ruston:** You guys keep flip-flopping on it.

**Mr. Grossman:** Mr. Speaker, I can't resist the member for Brant-Oxford-Norfolk talking about how the position hasn't switched but it has continued to be jelly. For example, the member for Wilson Heights (Mr. Singer) and the member for Armourdale (Mr. Givens) still want the thing paved, as the member for Wilson Heights so delicately says, to Rochester and the member for Armourdale wants it to go to Bloor—

**Mr. Nixon:** I think you are a classic example of a member of a caucus.

**Mr. Ruston:** You don't agree with your Health minister.

**Mr. Nixon:** She is afraid to sit in front of you.

**Mr. Grossman:** And, from time to time, they want it to go to Eglinton. It is a consistent position to this extent. In 1971, when the Premier announced that it was to be stopped where it was, up at Lawrence—

**Mr. Ruston:** "Cities are for people."

**Mr. Grande:** What happened then?

**Mr. Grossman:** —the Liberal Party then said that they thought it should go to Eglinton, so they are long on record as being in favour of taking it down to Eglinton.

**Mr. Nixon:** Our position hasn't changed.

**Mr. Grossman:** I wanted to get that point right on the record.

**Mr. McClellan:** It always changes.

**Mr. Grossman:** Now, secondly—

**Mr. Grande:** What exactly are you saying?

**Mr. Grossman:** I am consistent, and I must make this point. I am consistent. My position to the expressway—

**Mr. Ruston:** What about your party's?

**Mr. Grossman:** —has been long on record. I don't think it should go one inch south of where it was stopped in 1971. That's always been my position. Notwithstanding that, I am a responsible, I hope, enough member of this assembly to do a little more than some members of the opposition will do than to just lie in the ditch, now that the Premier has somewhat altered that decision, and say: "No, I don't like it. I'm going to lie in the ditch."

As a member for a riding directly affected by that decision to pave to Eglinton—



**Mr. Grande:** Which one is that?

**Mr. Grossman:** —I feel an obligation to do a little more than to hold picnics and say: "Please don't pave the ditch." Lying in front of the tractors when the decision has been made to go to Eglinton is going to do nothing for my constituents who may be affected by the paving to Eglinton.

**Mr. Nixon:** Why don't you threaten to resign?

**Mr. Grossman:** Dr. Soberman, when he did his now famous report which was not, as we know, entirely implemented, said on page 133, summarizing his considerations and drawing some conclusions:

There are two possibilities for making major improvements to arterial road capacity which could significantly reduce road deficiencies in the area and which at the same time should have minimal community impact.

He goes on to recommend that there be an impact study and unfortunately, at the instigation of Metro council, the government chose to go ahead with some parts of the Soberman report without, in fact, having an impact study. I'm also long on record as stating I think that's a serious error.

What do we do then? The province has decreed that it shall go to Eglinton. One thing—

**Mr. McClellan:** Throw the Tories out, that's what.

**Mr. Grossman:** —is to be sure that the various provisions for that paving to Eglinton are implemented in such a fashion that Soberman's predictions on the effects on the neighbouring residential communities is minimal. Instead of lying in the ditch, I think that all members of this assembly should be making sure that the—

**Mr. McClellan:** Tell us about the new Harbourfront.

**Mr. Grossman:** —requirements set up in the Premier's Aug. 8 statement are met. Most specifically at the top of page 12 of that statement: "As a further proviso, we would require that Metro council develop a plan to ensure that traffic generated by the new roadways will remain on other Metro arterial roads."

I might say that subsequent to that statement not too much was heard from Metro. They did not even begin to develop that traffic plan. They ignored it. They worried

about (a) the lawsuit; and (b) designing ramps and designing the paving to Eglinton in such a fashion that perhaps they could bang it through further.

On Nov. 7 I used a fair portion of my maiden speech in this Legislature to discuss the various requirements that ought to be placed upon Metro in paving to Eglinton. Some of those were subsequently ratified and implemented, others were not. I must say that I have to draw attention to that Nov. 7 date because very many people in the city of Toronto somehow did nothing about the situation until just recently when the court decision came down, the contracts were ready to be let and the plans were drawn. Others of us were fighting those plans back in November.

I also have to comment that since 1970, some members of the opposition with ridings affected—I understand they have to look after their people, the member for Yorkview (Mr. Young), now the member for Downsview (Mr. di Santo) as well, I suppose—have not exactly been what I would classify as front-and-centre on the issue. They've allowed their party to get up front. They've hidden quietly in the background so that they wouldn't terribly offend their voters. I understand that. Indeed I understand the position taken by the members for Armourdale and Wilson Heights. I think they're totally wrong and foolish, but I understand they see their jobs as looking after their constituents. I must say that Richard Soberman acknowledged that their constituents had a problem, as did the Premier acknowledge that their constituents up there had a problem.

[1:45]

I can tell the House this: As the member for St. Andrew-St. Patrick, I don't have to try to look for an easy route. I am not that sort of member anyway. I don't have to say I live up in the northwest quadrant and therefore I am in favour of going through, or I am down in the middle of the city and therefore I am against the expressway.

My constituents now, let me make it clear, some of whom were formerly totally opposed to the expressway, are very worried that in a couple of years they are going to want it to go all the way down to Bloor to get the traffic past them; instead of dumping it on Eglinton, get it down to Bloor. My position is one which, no doubt in any event, will offend some of my constituents. My task isn't quite as easy as that of some other members of this House but it is easy for me. My position has always been that of 1971: Do not pave it.

In order to be a reasonable, fair politician representing his people I am prepared to do more than lie in the ditch. I am prepared to do something more than the NDP's colleagues on city council, some of whom felt obliged to vote against extending the Bloor St. subway while they stand up here and talk about the only solution being more transit.

**Mr. McClellan:** Give us your resignation.

**Mr. Grossman:** My job is to stand here, to work within this government and in this Legislature to see that assurances are made so that pressure does not build up in the north end of my riding to complete the expressway to Bloor St.

**Mr. McClellan:** Why don't you tell us about park and ride?

**Mr. Grossman:** Let's talk about park and ride. That was the member for Dovercourt, wasn't it? Anyway, it was an NDP member over there who wanted to know about park and ride facilities. For his edification, he may not have read the Premier's statement of May 17 last, at the conclusion of a meeting at which I took Mayor Crombie and Mayor White and other members of the councils of Toronto and the borough of York to see the Premier on this subject. Item 5 of that statement was:

The province will ensure that its share of the funding required to meet the cost of park and ride facilities at Eglinton and Lawrence or at some intermediate points between is available. Adequate facilities for this purpose are to be developed to coincide with the opening of the Spadina subway.

There is the provincial support for the park and ride facilities—I might add, whatever park and ride facilities the municipality wishes to build. The province has not decreed where they should go or for how many cars and has put no limit on its contribution in terms of raw dollars to the construction of that facility even with the restraint programme going on.

**Mr. Grande:** Those are just words.

**Mr. Grossman:** Yes, those are just words.

**Mr. MacClellan:** What about access?

**Mr. Acting Speaker (Smith):** Order, please.

**Mr. Grossman:** I thought members might be interested in some glowing words, a tribute the member for York South (Mr. MacDonald) made in 1969 in this Legislature.

He quoted glowingly from an editorial in the Globe and Mail which referred in turn to an article by Jane Jacobs. He felt obliged to read the entire editorial into the record because he thought it was such a fine one. Let me quote one portion of that editorial in context:

The expressway cannot be stopped north of Eglinton Ave. Construction to that point is almost complete. Two blocks south of Eglinton the expressway enters the ravine and follows it to Cedarvale Park. Homes have been demolished and excavation for the expressway is finished along this stretch.

[Further on] So the Spadina can be stopped somewhere between Eglinton and Bloor with little real loss. The only questions are where to stop it and what to do with the traffic that spews out of its southernmost end.

Members won't catch the member for St. Andrew-St. Patrick reading that article to this Legislature with glowing references because I don't think it can be stopped or ought to have been stopped as far south as Eglinton.

Let's talk about what ought to be done.

**Mr. Lawlor:** You are reading out of context.

**Mr. Grossman:** You haven't even read it. How do you know if it is out of context? You presume it must be because how could the member for York South say something like that?

**Mr. Acting Speaker (Smith):** Order, please.

**Mr. McClellan:** Resign.

**Mr. Grossman:** Let's talk about the conditions of going to Eglinton now. Firstly, I don't think it ought to be opened. The arterial to Eglinton ought not to be opened until the subway is open. As I referred to it earlier, the Premier has seen fit to require that the park and ride facilities be in place by the time the subway opens and I think the arterial should be held back until that time. The park and ride should be in place. The subway should be in place prior to the opening of the arterial to Eglinton. A traffic plan, as required time and again by the Premier and most recently on Nov. 25 by the Minister of Transportation and Communications (Mr. Snow). I quote from his letter to Paul Godfrey:

While the roadbed is under construction, the province requests the inauguration of



an ongoing study to provide a traffic control system that, with continuous monitoring, will ensure any traffic generated by the new road will remain on other Metro arterial roads.

Needless to say, Metro council being what it is, has entirely ignored that paragraph as well, and they have not, "while the roadbed is under construction", prepared this study.

I say the province should not permit the opening until that traffic plan is developed, is in place, and is satisfactory. A great portion of the justification for paving to Eglinton was that it would not have capacity sufficiently high to destroy Eglinton, and the neighbouring communities.

Unless Metro develops that roadway pattern which has been requested three times by the Premier, and the minister, then there can be no assurance it will not destroy Eglinton.

Single-lane ramps have been required. They have been referred to in Soberman's report. It is part and parcel of the Premier's Aug. 8 statement, the minister's Nov. 25 letter, and the Premier's further statement of May 17, 1976. Metro must be sure it drops its plans, which sometimes show two lanes and sometimes show one lane, and make sure they honour that commitment.

The Premier's statement bears some comment. On May 17, 1976, after the meeting in the Premier's office, the Premier issued a statement which contained many points. I would like to read some of them into the record because many people who are busy signing newspaper advertisements, and are busy lying in the ditch, are not terribly aware of some of the provisions of this statement.

**Mr. Grande:** Who does that?

**Mr. Grossman:** No. 2:

The province will take title to the Spadina right of way south of Eglinton, including housing, ravine lands, and unopened road allowances, so as to stop up and close the right of way. Eventual dedication of both housing and lands will be determined in discussions involving Metro, the city, and the borough.

[Item 4] Plans will be reviewed to ensure that single-lane ramps will be built on to Eglinton and off of Eglinton, although some modification may be required at the intersection to provide for turning patterns for the traffic.

[6] Metro is to be asked to provide, at the earliest possible time, the required traffic control system to ensure that the traffic generated by the Spadina arterial road will remain on other Metro arterial roads rather than on local roads. The city, and borough, are to be involved in the development of this plan. The question of speed limits on the Spadina arterial road extension was raised by the city and borough spokesmen who suggested that it should be established at 30 miles per hour. The Premier indicated he would arrange an early meeting with Chairman Godfrey and Mayor Crombie and would like to discuss all these points.

May I say, I think the 30 mile per hour speed limit is essential if that road is to remain truly an arterial road. Now, those assurances—"do I agree with them?" let me tell you. I am not convinced, I may say to the member for Oakwood (Mr. Grande), that any of these measures, or all of them, will be enough to protect the people on Eglinton and points south. I am not. I would have liked to have seen an impact study but the time has come when we have to apply ourselves to resolving that problem, to ensuring that Eglinton is not devastated.

I want to comment that one way to make sure it is devastated in the interim is to adopt the Liberal Party position that the 400 should be dropped. I personally am going on record as being against the Spadina arterial and the 400 arterial. The Liberal position, I suppose because they have ridings only affected by the Spadina, is to pave the Spadina arterial and drop the 400.

**Mr. N'xon:** You have already spent millions of dollars on the Spadina.

**Mr. Grossman:** We know what's going to happen with the one third of the traffic that was going to go down the 400 arterial. That third can go back on to the Spadina extension being paved to Eglinton.

Let me say that, granted the statement of the Premier that both of them are going to go ahead, the worst thing that could be done for the people of St. Andrew-St. Patrick and in the heart of this city would be that the 400 be dropped as the Liberal Party wants to see it happen. That would dump all that traffic on to St. Andrew-St. Patrick and it ought not to go there.

**Mr. Nixon:** It certainly takes a stretch of the imagination to—



**Mr. Grossman:** Finally, Mr. Speaker, I want to get the record clear. A lot of people are running around saying that the Premier ought to give back his transit award, on the basis that they believe the transit award he got in 1973—

**Mr. Nixon:** We don't say that. We thought it was—

**Mr. Grossman:**—from the American Transit Association was for stopping the expressway.

**Mr. Deans:** You know something? Some of us don't care.

**Mr. Grossman:** Indeed. Well a lot of the member's candidates care.

**Mr. Deans:** We don't care if he gives it back or keeps it. I thought it was a bunch of nonsense.

**Mr. Nixon:** Melt it down and make it into a halo.

**Mr. Acting Speaker (Smith):** Order, please. the hon. member from St. Andrew-St. Patrick will continue.

**Mr. Grossman:** Okay. I want to quote from the press release which accompanied the award given to the Premier in 1973—it's from the American Transit Association. Gates—he's the president of that association—points out that:

Davis' leadership is providing the finances, including operating assistance necessary to support municipalities in developing innovative trends and services. In addition to granting operating aid, the Premier has focused on urban transportation problems by carrying out broad-based regional studies and starting experiments with computer rail and dial-a-bus services. In addition, he is providing the impetus for the development testing and implementation of a brand new public transit mode. Those are the reasons—

**Mr. Nixon:** That was Krauss-Maffei, remember that?

**Mr. Grossman:**—that he got that award. Not for the stoppage of the Spadina expressway.

I have just a few moments left but I did not want to sit down without commenting on some of the remarks made the other day by the member for Sudbury East (Mr. Martel). He just could not resist getting back to the problem of salaries and moneys and, as he called it, "back-dooring" of members of this assembly. That makes some of us furious.

I have not been engaged in that sort of junk—discussing whether or not more money is needed, nor criticizing him for suggesting that it might be appropriate. But he did make the point that a lot of us were serving on too many select committees and that that was a way of back-dooring.

Let me say that there are 37 positions on select committees to be filled. This party has only 24 back-benchers to fill those 37 slots. Therefore, if the member will take his pencil in hand, he will be able to ascertain that some of us have to do double duty or else we will not be able to staff the 37 spots on those committees.

**Mr. Nixon:** You are not on two select committees!

**Mr. Grossman:** Secondly—I'm on three select committees.

**Mr. Nixon:** At \$50 a day?

**Mr. Grossman:** As are the members for Riverdale (Mr. Renwick) and Lakeshore (Mr. Lawlor)—the latter, by the way found time as well to be chairman of one of those committees.

**Mr. Nixon:** Both of them are smart though.

**Mr. Grossman:** So a lot of us are over-worked. But none of us are back-dooring. I want to tell that to the member for Sudbury East.

**Mr. Lawlor:** Am I chairman of one of the select committees as well?

**Mr. Nixon:** He is chairman of a standing committee.

**Mr. Grossman:** I'm sorry. Mr. Lawlor is chairman of a standing committee and is on two select committees. I suspect that takes even more time than just being on three select committees.

**Mr. Nixon:** That sounds like a Tory—

**Mr. Grossman:** Finally, his party over there had 37 members—the reverse situation that we had. They had 37 members to fill 29 slots but they only used 24 of their members to fill those 29 slots. They could have spread out their—to use the words of the member for Sudbury East—back-dooring among more members. But no, they kept it down so that some of their better members like the members for Lakeshore and Riverdale—could be on two or three committees. Not so over here. We have a numbers problem. We are proud to have served on those committees and it is not any more back-dooring on this

side than it is on that side. I say it is not back-dooring on either side of this House.  
[2:00]

Mr. Grossman moved the adjournment of the debate.

Motion agreed.

**Mr. Speaker:** We will now have statements by the ministry.

### INTERMEDIATE CAPACITY TRANSPORT SYSTEM

**Hon. Mr. Snow:** Mr. Speaker, on April 14, 1975, the Hon. John Rhodes, then Minister of Transportation and Communications, reported to this House on the activities and plans of this government surrounding the need to develop improved urban transit systems and, more specifically, the intermediate capacity transit system.

At that time, Mr. Rhodes set out the objective of the government, and, I quote:

. . . and that objective, quite simply, is to be able to provide municipalities with a tested, commercially viable, intermediate capacity transit system meeting user, community and operator requirements and produced, to the greatest extent possible, under Canadian leadership and with Canadian resources.

Mr. Rhodes went on to state that, and I quote:

It is now proposed that the intermediate capacity transit system development programme will be divided into five phases.

He authorized the Ontario Transportation Development Corp., now the Urban Transportation Development Corp., to conduct phases 1 and 2.

Phase 1 was to collect all the data currently available, define all future programme activities and, finally, to determine what the municipal planners, the transit operators, and the public require in terms of transit. This phase has been completed and the statement of needs is endorsed by planners, including Metro Toronto, and operators, including the Toronto Transit Commission.

Phase 2 was to continue the technical development, including the preparation of preliminary designs for a prototype system, detailed estimates of system development and implementation costs and programme plans. This too, is complete.

Phase 3 would include detail design and testing of prototype hardware, plus the construction of a facility for system testing.

Phase 4 would consist of the manufacture and test of pre-production vehicles using soft tooling, and phase 5 is the licensing of the proven designs and systems, for commercial production.

As Mr. Rhodes stated, the first two phases would take 13 months to complete at an estimated cost of \$6.1 million. I am pleased to report, Mr. Speaker, that these phases have been completed on time and under budget.

The key conclusions of phases 1 and 2, contained in a summary report, are:

1. Any new system must be competitive with subways, bus and streetcar systems from a capital and operating cost point of view.

2. Any transit system that can be operated, at-grade or elevated, will result in a capital cost savings of \$20 million to \$25 million per mile in 1975 dollars, versus a tunnelled or subway system.

3. Any new at-grade or elevated systems must achieve community acceptance. This acceptance is dependent upon low noise levels, reduction of size and scale of stations, vehicles and guideways. Therefore, all technical development must be directed toward meeting these requirements.

4. Any new system requires exclusive rights of way not accessible to other traffic or pedestrians to achieve the capacity demanded by municipal planners and transit operators.

**Mr. Lawlor:** You have got capital on the mind.

**Hon. Mr. Snow:** To continue:

5. Finally, testing and experimental facilities are required to prove technical developments for advanced transit systems, and conventional rapid transit equipment.

UTDC's report to the government outlined those areas where significant technical developments were required, and, therefore, where the technical and commercial risks exist. These were:

1. The development of a steel-wheeled suspension system that incorporates steerable axles, resilient steel wheels and a linear induction motor for acceleration and braking; such that the vehicles would be significantly quieter.

2. A vehicle, a guideway and a station design with sufficient capacity and service capability in a small enough physical scale to be acceptable in all communities.

3. The completion of the automated control system design and testing under actual operating conditions.



Their report stressed that these development and test programmes were required for any form of advanced transit that has application in Ontario municipalities. Their report recommends that this government proceed with phase 3 and this recommendation is endorsed by its board of directors and technical advisory board, specifically, that: 1. The government of Ontario continue the development of detailed system prototype hardware and testing, and; 2. develop a transit test centre for conventional and advanced transit.

I would like to point out that the results of both recommendations will contribute to the successful development of advanced transit systems. It will also contribute to improvement of current systems, for example, quieter suspension systems with steel wheels on steel rails; induction motors; steerable axles; and the capability of combining manual and automatic controls.

After reviewing UTDC's conclusions and recommendations with qualified experts and my colleagues in cabinet, the government of Ontario has decided to proceed with phase 3—the development of an intermediate capacity transit system with a major transit test centre.

The government of Ontario has made this decision to continue to provide leadership and co-ordination in the development of improved forms of public transit for these reasons:

1. This government has consistently opposed the continuing domination of the automobile in the cities.

2. Our cities will continue to grow. Thus, if we are to assist in the development of the satellite core areas proposed by municipal planners, then affordable, efficient transit will be required.

3. Subways can't be our only rapid transit option. Current estimates of the capital costs for a single cross-town subway system in Toronto now reach \$1 billion.

If the balance of the proposed Metro Toronto rapid transit plan had to be built underground, one of two results would occur: (a) the cost would be several billions of dollars and the province's commitment to a 75 per cent capital subsidy would leave little or nothing for transit in other Ontario cities such as Ottawa, Hamilton, Windsor, Thunder Bay and other developing centres where extensions and improvements will also be needed; or (b) the balance of the transit plan would never be built and the smaller centres would be left with no rapid transit at all as the capital costs of subways could not be

justified. Further, it is unlikely these other municipalities would be able to afford their 25 per cent share of the subway capital costs.

4. Acceptable at-grade or elevated transit systems could cut Metro's transit capital bill almost in half and permit needed transit service to these other centres.

5. Without a continuing commitment to transit by governments, private enterprise cannot finance the technical development required. The federal government is unwilling to assist in the development of realistic and affordable transit systems despite the promises of Messrs. Trudeau, Marchand, Basford, Danson, Gillespie, Lang and Drury. Therefore, Ontario must.

**Mr. Nixon:** They wanted to build you a \$1 billion airport but you didn't want it.

**Mr. Kerrio:** You are the experts.

**Hon. Mr. Snow:** Reason No. 6: The continuing pressure on petroleum reserves and the rising prices of such fuels means that continued emphasis must be placed on oil conservation. Switching to electric-powered transit is a desirable conservation alternative. Thus, affordable new design systems must be developed.

7. Finally the approval of phase 3 means a major transit development will generate employment at the test site to be established in eastern Ontario for UTDC's subcontractors such as Spar Aerospace, KVN/Abam Ltd., Canadair, ITT Canada, and H. H. Angus. All of these companies will also locate technical teams at the test facility.

We will introduce supplementary estimates in the fall for this project. However, in order that the project may commence immediately I will ask Management Board to provide for interim financing by means of a Management Board order. The average expenditure for 3½ years will be \$15.5 million annually to complete phase 3.

We anticipate this entire programme will produce a constant flow of improvements to both conventional and advanced transit. It will also provide Canada with its first transit test site.

The need for improved transit is obvious and Ontario will lead so that our cities will always have a choice: A choice between transit or more automobiles consuming more energy, requiring more and more land space for future expressways.

Whatever this House wishes to call these new systems—advanced light rail systems; advanced light guideway systems; mini-



subway systems; or intermediate capacity transit systems—really doesn't matter.

**Mr. Lewis:** Or no system!

**Hon. Mr. Snow:** We propose to develop them and they will be acceptable to the community, to the municipal planners and to the transit operators and at an affordable cost. They will operate on fully exclusive rights of way, at grade as much as possible but, where necessary, they can be tunnelled or elevated.

I am tabling UTDC's report to the government. This is a summary report on phases 1 and 2 containing their conclusions and recommendations, and an outline of the preliminary design for the ICTS system.

I would like to add that UTDC will continually update the government of Ontario on this programme and I will keep the Legislature informed of all significant developments.

#### MINERAL PRODUCTION TAX REVENUE

**Hon. Mr. McKeough:** Mr. Speaker, on June 17, the hon. member for Sudbury East (Mr. Martel) asked a question about Ontario's mining tax yield. Specifically, why revenues dropped between 1974 and 1975. The way he phrased the question indicates an abysmal ignorance about our mining tax, indeed about the mining industry itself.

**Mr. Nixon:** That's a nice way to start.

**Mr. S. Smith:** Abysmal has more than three letters; are you sure you can handle it?

**Mr. Speaker:** Order, please.

**Hon. Mr. McKeough:** Little wonder then that the socialists periodically come forward with suggestions to take additional hundreds of millions from this vital industry.

**Mr. Breithaupt:** A nice balanced statement.

**Hon. Mr. McKeough:** In 1975—

**Mr. Lawlor:** Antagonism will get you nowhere!

**Mr. Speaker:** Order, please.

**Hon. Mr. McKeough:** In 1975, the mining industry in Canada—

**Mr. Lewis:** Point of order, Mr. Speaker.

**Mr. Speaker:** Your point of order?

**Mr. Lewis:** If you intend to permit ministerial statements or responses to be as deliberately provocative as you are now allowing the minister to be, you must accept that during the question period there will be those responses in kind from the opposition. You have to understand that. Whatever we do to indulge the lovely, gentle, prima donna nature of the Treasurer in this House—however we may handle it—you, Mr. Speaker, by permitting it, I submit to you, are inviting the responses in the Legislature which will allow the question period to deteriorate. I ask you only to apply the rules equally in those terms.

**Mr. Speaker:** I think the comments are well taken. The purpose of ministerial statements is to reply with a more lengthy answer—

**Mr. Breithaupt:** You are supposed to enlighten the House.

**Mr. Speaker:** —than would be allowed during the regular question period—to state the government's position on various matters of policy and what have you. I would think that controversial statements or argumentative statements should not form part of a ministerial statement.

The hon. minister.

**Hon. Mr. McKeough:** Mr. Speaker, in 1975, the mining industry in Canada experienced a cyclical downturn in response to a worldwide drop in demand and a softening of prices. This followed the boom year in 1974, when production and prices rose substantially. Ontario's mining tax was specifically designed to be sensitive to such cyclical fluctuations in the industry, and our revenue yield reflected exactly that.

The key thing which the member for Sudbury East apparently fails to understand is that the Ontario mining tax is a tax on profits, not a royalty on production. The two other provinces of socialist persuasion did attempt to secure revenues from the mining industry in the form of royalties on production. In our neighbouring province to the west it was called a variable volumetric royalty, while to the far west it was called a super royalty. I don't want to go into history here, but both of these socialist royalty schemes collapsed under the weight of reality, to be replaced by—

[2:15]

**Mr. Lewis:** Are you editing as you go?

**Hon. Mr. McKeough:** —you guessed it, a tax on profits. Let me now explain to the member in simple ABCs how a tax on profits works.

When a mine extracts ore from Ontario, there are three basic steps to go through to generate tax revenue for the province. First, the ore or refined metal must be sold to produce income. Second, the cost of production and processing must be paid, including wages to the workers.

Interjections.

**Hon. Mr. McKeough:** Third, the balance of income after paying off costs is the profit and this is what we tax.

**Mr. Singer:** Written by Darcy's own hand.

**Hon. Mr. McKeough:** Turning to the figures for 1974 and 1975, here is how our tax system worked in practice:

(a) Metal sales in 1975 declined 30 per cent from the level in 1974; i.e., gross income was down.

(b) Operating costs increased about 15 to 20 per cent over 1974 levels; i.e., expenses were up.

(c) Net earnings, which are the difference between gross income and expenses, were down by over 40 per cent in 1975.

(d) Ontario's mining tax has a graduated rate structure based on the size of profits or net earnings. As the profit base increases our effective tax rate increases; conversely, as the profit base shrinks our effective rate reduces. And 1975 was one of these years when the profit base shrunk, so the cumulative impact of declining metal sales, rising costs and shrinking profits, was a reduction in our mining tax revenue from \$153 million in 1974 to \$62 million in 1975.

In summary, in 1975 over 1974 metal production was down four per cent; metal sales were down 30 per cent; operating costs were up 15 per cent; profits were down 42 per cent; and mining tax revenue was down 59 per cent. I would like to conclude these remarks by pointing out to the member for Sudbury East the positive features of our mining tax on profits.

**Mr. Shore:** This is supposed to be an answer to a question.

**Hon. Mr. McKeough:** Because it is a tax on profits, or as some people would say, on success, there is no incentive to cut back production and employment in response to a temporary downturn in sales. In 1975, for

example, the value of metal production fell only four per cent in Ontario, versus 17 per cent in British Columbia. In short, our producers stock-piled production and maintained jobs during a year of depressed demand.

Because it is a graduated tax, it captures a proportionately greater share of profits during good years, as in 1974, and a lesser share in bad years such as 1975. This helps to smooth out the inherently cyclical nature of the mining industry with positive benefits to the workers and communities involved, because it incorporates significant—

**Mr. Shore:** Like the farm income stabilization plan.

**Hon. Mr. McKeough:** —incentives for further processing, Ontario's mining tax ensures that we enjoy a maximum share of the total value added that derives from ore mined in Ontario. And finally, because Ontario's mining tax structure has proven itself demonstrably superior to any other in Canada, one province after another has copied its basic ingredients to apply in their jurisdiction.

**Mr. Shore:** What was the question again?

## HABITAT CONFERENCE

**Hon. Mr. Kerr:** Mr. Speaker, I wish to report briefly on my attendance at the United Nations Conference on Human Settlements, known as Habitat, which concluded recently.

With the Minister without Portfolio from Lambton (Mr. Henderson), I shared the honour of being Ontario's principal representative on the 70-member Canadian delegation.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Kerr:** We were supported by a small professional staff and, in addition, the hon. members for Ottawa Centre (Mr. Cassidy) and for Huron-Bruce (Mr. Gaunt) also attended as official observers.

The members have read and heard a great deal about Habitat in the past few days. A major question seems to be whether or not the conference was worth holding, and therefore attending, in the first place. In my opinion the conference was an achievement in international relations leading to discourse and understanding. I say this notwithstanding the fact that several—

Interjection.



**Hon. Mr. Kerr:**—highly political and controversial resolutions were introduced and debated by conference members during the later sessions. I refer, of course, to the actions of the so-called Third World nations in forcing their differences with Israel upon the conference. These issues, it seemed to me, were not properly within the terms of reference of the Conference on Human Settlements.

However, the conference provided a positive forum for the consideration of many issues which we face here in Ontario and which will be major dilemmas of the future for virtually all of the 135 nations represented at Habitat.

These principal issues are: The need to provide clean, uncontaminated water to more than 85 per cent of the world's population which now lack a resource which we here in Ontario take for granted; the question of nuclear development as a source of energy; the issue of public ownership of land and, linked to this, the question of the morality of profit from speculation in land ownership; and the migration of population to cities and the resulting clutch of problems which this overcrowding of cities poses in the light of the projected doubling of the world population in the next 25 or 30 years.

These issues are challenges which we in Ontario have been discussing for some time and for which all of us must seek solutions. Significantly, Habitat revealed that these problems are universal in scope and they pose high barriers to the survival and future of man on this planet.

These questions were approached on an international and co-operative basis in Vancouver. While no positive solutions emerged from the conference, substantial progress was made in universal identification of the problems.

**Mr. Sargent:** The same comments that Barney Danson made.

**Hon. Mr. Kerr:** I'm certain that all citizens of the world now know that we must work together, nation with nation, government with government, individual with individual to develop, ultimately, satisfactory solutions to Habitat. In this context, the Habitat conference will emerge in historical perspective as a starting point for the international effort which must be mounted in order to solve our problems in human settlements.

I must impress on the members that these issues are not going to go away. As Canadians, graced as we are with advantages and resources unknown to any other peoples, we shall be expected to contribute to forming

solutions and to leading the way. Canada will undertake considerable post-Habitat activity, commencing, I expect, with a conference of the Canadian delegation to be held this fall at which a plan for action will be considered.

As a starting point for our own discussions here in Ontario, I wish to point members' attention to an event to be held this week. The Human Settlements Festival is being held this Saturday at Harbourfront in Toronto from 10 a.m. to 6 p.m. This festival has been organized by non-governmental organizations from all parts of Ontario, many of which were represented at the Habitat forum.

The festival is open to the public and offers exhibitions related to human settlement, including several excellent films which were part of the presentations made at the conference.

I might add that it was my pleasure last week to be host at Ontario Place to 64 Habitat delegates who were here to tour and inspect provincial and municipal projects and facilities. This extension of the conference will see the delegates move on to Quebec and the Atlantic provinces to complete the tour of our country. As a result of these activities, we've learned much more about each other and our different approaches to mutual problems.

In conclusion, I am pleased to inform the members that they will be able to obtain copies of two brochures prepared by the Ontario secretariat for Habitat staff, which I believe they will find very informative. These are now in your mail boxes and many more are available upon request. Thank you.

**Mr. Speaker:** Oral questions.

**Mr. S. Smith:** Mr. Speaker, will there be no statement from the Chairman of Cabinet regarding the rather unfortunate meeting with the Indian leaders on the weekend?

**Mr. Speaker:** I know nothing of that. Oral questions.

**Mr. Lewis:** I'll start off that way.

#### MEETING AT WHITEDOG INDIAN RESERVE

**Mr. Lewis:** Perhaps the Chairman of Cabinet would like to make a statement to the House about his interpretation of the events at Whitedog over the weekend. Perhaps he would like to clarify his observation—I believe it appeared in the Toronto Daily Star—something to the effect that he, the



government, must have been doing something wrong for a long time.

**Hon. Mr. Brunelle:** Mr. Speaker, I would be pleased to give a brief report on the meeting that took place last Friday afternoon.

The meeting was not as productive as I would have liked it to have been. I was accompanied by the Minister of Natural Resources (Mr. Bernier), and Mr. Herridge, who is the assistant deputy minister responsible for resources. This meeting had come about as a result of a telephone conversation with Chief Mandamin, the chief of the Whitedog Indian reserve. We thought if we met and discussed various items maybe we could be of some assistance.

The meeting ended rather abruptly shortly after an hour after we had commenced. There was considerable discussion on the question of the mercury in the English-Wabigoon River system. They submitted a brief to us and in the brief there were seven items, Mr. Speaker. Of those items, many are under consideration. Most of them we are prepared to act upon. Some have already been acted upon. However, we really didn't get to those items because the meeting ended abruptly on the third item. If I may read into the record this third item, it goes as follows:

That the Province of Ontario agree to close the river system to all fishing other than fishing for fun; that the Ministry of Natural Resources enforce a system whereby all parties are permitted to catch fish for sport but to prohibit retention of the fish and consumption of the fish.

I indicated, along with my colleague, the Minister of Natural Resources, that it would be most difficult to enforce such a regulation. I gave as an example that a tourist could catch, say, a five-pound pickerel. He wishes to show it to his family and to his friends. He would take it home, take some pictures and then he would be obliged either to bury the fish or destroy it in some way, and the enforcement of this would be most difficult.

There was considerable discussion, and it's easy to understand why we only issue warnings. We say that a tourist, for example, can go to that area for a one- or two-week period, and eat fish maybe twice a day. But that's only a small consumption. The native people are eating fish maybe twice a day for 200 days a year, and eventually the accumulation of the mercury increases to the point where it can be a real health hazard. This is rather difficult for many to understand. It's really the amount, the quantity, that is the real hazard.

However, I indicated to the chief that we certainly are very concerned. We are prepared to do all we can to assist the band. I also mentioned that there was a federal responsibility in this area.

**Mr. Lewis:** Of course.

**Hon. Mr. Brunelle:** This morning, as soon as I arrived in the office I contacted the federal Minister of National Health and Welfare, who I understand is the chairman of an interministerial committee at the federal level.

**Mr. Lewis:** God help us.

**Hon. Mr. Brunelle:** He indicated to me that he would be prepared to meet with his colleagues and our provincial colleagues some time soon to discuss this very important question.

I would like to repeat again, Mr. Speaker, to all hon. members in this House, that it is a very complex question. This question of pollutants is not only mercury—it's DDT, PCBs, lead, asbestos. I am told there are more than 100 lakes and closer to 200 other bodies of water in other parts of the province—northeastern, central, northwestern, southeastern, southwestern—that have large percentages of pollutants—mercury or PCBs and so forth. Therefore, this whole question of banning sport fishing in one area has implications in other areas.

I would like to repeat that we certainly will do all we can to work closely in conjunction with those two Indian bands in that area and also with our federal colleagues to try and solve some of these very difficult social, health and economic conditions.

**Mr. Lewis:** A supplementary, if I may, appreciating the minister's response.

Did he know when he went up to Whitedog that the report from the doctors sent jointly by the Province of Ontario and the federal government, I think, to Japan to look at the consequences of Minamata disease and the incidence of the disease apparently contains a recommendation asking that the English-Wabigoon River system be closed to fishing precisely in order to save the lives of the guides who are most exposed? Now that he knows that is true, a recommendation by doctors whom he himself commissioned to do the study, how is he going to resist the reasonable and legitimate demands of the Whitedog reserve?

[2:30]

**Hon. Mr. Brunelle:** Mr. Speaker, my understanding, and I can be corrected on this, is

that there was a report submitted to the Ministry of Health as a result of a team which went from this province to Japan and, I believe, to Iraq. I also understand that the federal government had another team which went about the same time. In other words my understanding is that there are two reports.

The report the member refers to is a report which the Minister of Health (Mr. F. S. Miller) has recently received. I have not seen that report. I have seen briefly some of the recommendations as late, I believe, as Thursday or Friday; I guess it was Thursday. I haven't seen the report. The report is still in the Ministry of Health. It's quite true that parts of that report, I've heard, do recommend that it be closed.

**Mr. Lewis:** What is the minister going to do now?

**Hon. Mr. Brunelle:** As I have indicated to the Leader of the Opposition, Mr. Speaker, this matter has been discussed several times. It's coming up for discussion again on Wednesday. There's no easy solution.

May I ask the hon. leader this question, Mr. Speaker: Supposing we were to close the English-Wabigoon River system; does he honestly think this will solve the problem? Does he honestly think that no one is going to fish and that no one is going to eat any of those fish from those contaminated waters? Does he honestly believe that?

**Mr. Lewis:** May I answer that, Mr. Speaker?

**Mr. Speaker:** I think not.

**Mr. Lewis:** I think it is a superb first step. It is what the minister should do.

**Mr. S. Smith:** A supplementary: Do I take it that the minister fails to agree with the opinion of the chief and the council that the guides and their families, who are the ones most at risk in this whole business, would be discouraged from eating if they were not always guiding the fishermen and getting their meals that way? Do I take it that he disagrees totally with the chief and band council who have expressed that opinion and the experts quoted by the Leader of the Opposition and from whom I brought forward evidence two or three months ago?

**Hon. Mr. Brunelle:** Mr. Speaker, in replying to the leader of the Liberal Party, there are a few things I'd like to mention. My understanding is that the Minister of Health

—I believe it was the acting Minister of Health (B. Stephenson)—wrote to every fishing resort operator in that area this spring requesting that alternative food supplies be provided to the guides.

I also wish to mention that we are considering—when I say we, this is the Minister of Industry and Tourism (Mr. Bennett) under the Tourism Act—that regulations be amended to provide an alternative food supply at no cost to the Indian guides. This is being actively considered. It means a change in the regulations. It's quite true that the guides are certainly the ones who are the most liable to mercury contamination.

**Mr. S. Smith:** And their families and their children.

**Mr. Nixon:** A supplementary, Mr. Speaker; I'm quite concerned that the minister's reason for not proceeding with the closing is simply that he could not undertake to enforce it rigorously and so he comes back with a rhetorical question, "Do you not think there will be some people still fishing?" Surely the minister would agree that that is not a legitimate nor a sufficient reason not to proceed with the closing of the system? One salutary effect would be that it would be an indication to everyone—the Indian community, many of whom still continue to eat the fish; the outfitting community and others, the tourist community—that we do consider it a serious threat and we are prepared to take serious action. Anything else is going to be misconstrued.

**Hon. Mr. Brunelle:** As I indicated earlier, Mr. Speaker, and that's why I read it into the record, at our meeting on Friday they did not ask us to close sport fishing in the English-Wabigoon River system. What they asked us was about fishing for fun and whether we would implement such a programme.

**Mr. Lewis:** Yes, a reasonable compromise which they put and you refused to accept.

**Hon. Mr. Brunelle:** We refused to accept it for the reasons we have outlined. How can we accept it if we can't enforce it?

**Mr. Lewis:** You could enforce anything if you wanted to.

**Hon. Mr. Brunelle:** Does the hon. member realize that there are over 3,000 square miles that are contaminated with various kinds of pollutants?

**Mr. Lewis:** Oh, come on.



**Mr. Nixon:** The people would know it would be illegal. It would be like the seat-belt law.

**Mr. Speaker:** Order. Order, please.

**Hon. Mr. Brunelle:** We are a responsible government. There's no use bringing in a regulation if you can't enforce it.

**Mr. Lewis:** Well, by way of supplementary—

**Mr. Speaker:** Order, please. We'll allow another supplementary from the hon. Leader of the Opposition and one from the member for Wilson Heights, then that will be it.

**Mr. Lewis:** Surely the minister recognizes that these difficulties are manageable. The government understood it couldn't enforce the seatbelt law, universally, but understood the impact of the law once passed by this Legislature. Does the minister not see the enormous impact it would have on the future life and health of the Indian guides, and to alert the entire community of the north-west, if he were simply to promulgate the regulations and do his best to enforce them? Surely that makes sense to him.

**Hon. Mr. Brunelle:** Again, Mr. Speaker, I'd like to reiterate, there is a real problem in law enforcement. With reference to the hon. member's second point about health, as I asked him earlier, does he honestly believe that—

**Mr. Lewis:** Yes. Yes, I do.

**Hon. Mr. Brunelle:** —if we were to close that river system, the native people would not continue to fish and would not eat those fish?

**Mr. Lewis:** I believe it would help greatly. Yes, I do.

**Mr. Singer:** Mr. Speaker, in view of the fact that the Minister without Portfolio himself is involved, his colleague, the Minister of Health (Mr. F. S. Miller), for a while the acting Minister of Health (B. Stephenson) was involved, the Minister of the Environment (Mr. Kerr) is involved, the Minister of Natural Resources (Mr. Bernier) is involved and the Minister of Industry and Tourism (Mr. Bennett) is involved—that's six, if my arithmetic is accurate—

**Mr. Lewis:** And the Premier (Mr. Davis).

**Mr. Singer:** —wouldn't it make more sense if the cabinet determined that one minister

could have authority for the whole of the government and make one decision—

**Mr. Lewis:** Or one member.

**Mr. Singer:** —instead of kicking it around like a football?

**Mr. Lewis:** Or one member.

**Hon. Mr. Brunelle:** Mr. Speaker, that's the reason why I was appointed to that very happy position.

**Mr. Singer:** Yes, you've mentioned five of them this afternoon.

**Mr. Speaker:** The hon. Leader of the Opposition, further questions?

**Mr. Lewis:** Yes. It took more time than I expected. I'm sorry, Mr. Speaker.

#### COMPENSATION FOR SILICOSIS CASE

**Mr. Lewis:** May I ask the Minister of Labour, if I could, would it be possible for her to review the situation of one Fred Solley, who is past-president of the local at the Canadian Porcelain Co. Ltd. in Hamilton, who is now suffering severe disability from silicosis, and who had it revealed to him in 1974 that he was suffering from silicosis as far back as 1969, as shown in x-rays which were in the hands of the Ministry of Health and Workmen's Compensation Board but which he never knew about until late 1974? Can she see whether there is an action in law which Mr. Solley might be entitled to take, or whether the government could provide special compensation, given the apparent negligence in this case?

**Hon. B. Stephenson:** Mr. Speaker, I can certainly undertake to investigate this situation.

**Mr. Lewis:** Thank you very much. Could I then, in the process, send over to the minister—I shall do so—the legal opinions and ask the minister, in the process of examining it, not to be defensive, in terms of the government's potential liability, but to see what might be done in this—a finally demonstrated incident of an instance of a man having silicosis on his x-rays for five years before anyone thought to tell him about it.

**Hon. B. Stephenson:** Mr. Speaker, not having seen the x-rays, not having seen any of the reports, I have no idea whether what the hon. Leader of the Opposition says is, in fact, actual, but I shall most certainly investigate the case thoroughly and report.



**Mr. Lewis:** Well, the minister knows not to trust me, of course, from long ago, but I'll give her the workmen's compensation report.

**Mr. Speaker,** I believe lurking in the precincts is the Minister of Education (Mr. Wells). Is he hiding behind the throne?

**Mr. Nixon:** Behind your skirts maybe?

**Mr. Lewis:** I am most anxious to ask him about Margaret Laurence.

**Mr. Speaker:** Perhaps you might have the opportunity later.

### INTERMEDIATE CAPACITY TRANSIT SYSTEM

**Mr. Lewis:** May I have one last question, then, to the Minister of Transportation and Communications? Given the fiasco of Krauss-Maffei, why is the minister now committing another \$46.5 million to the third phase of this now-epic experiment, since he admits, in his statement on page four, that there are serious technical and commercial risks on the steel wheels, the suspension, the axle, the linear induction motor, the vehicle, the guideway, the stations and the automated control system?

**Mr. Breithaupt:** Nothing left but the people.

**Mr. Lewis:** Does the minister not think that that is, all in all, quite a risk to be setting aside such a large sum of money for, in a programme which he appears to have decided on, in advance, without community participation?

**Hon. Mr. Snow:** Mr. Speaker, first of all I would point out the statement does not mention any place about serious risks.

**Mr. Lewis:** By way of supplementary, the minister said "significant technical developments were required and therefore where the technical and commercial risks exist..." Significant technical developments I thought probably made it serious, maybe not. Why is he proceeding without having a greater public discussion of the next three years, since three years is a long time to lose for an experiment which may never turn?

**Mr. Nixon:** It's already five years late.

**Mr. Breithaupt:** It's seems like five years already.

**Hon. Mr. Snow:** Mr. Speaker, I am sure all of us know that in any new development

of any new project or any new product, there have to be some risks involved in developing it. Henry Ford didn't invent the automobile without risks; Edison didn't invent the light-bulb without risks.

**Mr. Nixon:** Like five years late.

**Mr. S. Smith:** Ford has a better idea.

**Mr. Singer:** Maybe you should bring him back and let him advise you.

**Hon. Mr. Snow:** The government has seriously considered the full statement. I am sure you will be getting, if you have not already got one, a copy of the full documentation. I would suggest that you read that in detail. We will all be able to discuss it better at that time.

**Mr. Singer:** Mr. Speaker, I wonder if the minister could tell us, in light of the announcement of this programme, what the estimated capital cost per mile is of this system in commercial operation, and the estimated operating cost per mile?

**Hon. Mr. Snow:** Mr. Speaker, all this information, I believe, is in the detailed material that is being made available to all caucuses. The cost is, I believe, about half of what it would cost to build a subway.

**Mr. Lewis:** Right now.

**Hon. Mr. Snow:** It's obvious, I think, from the statements by all people concerned in this field that the cost of subways is just too much.

**Mr. Singer:** I am not asking about subways.

**Mr. Deans:** It looks as if a subway would work.

**Hon. Mr. Snow:** I assure you, Mr. Speaker, that this system will proceed, and that it will answer a great many of the needs of our communities.

**Mr. Singer:** How about the cost? Can't you answer the cost figures?

**Mr. Speaker:** Any further questions? Order, please. We have spent over 15 minutes—18 minutes now—on the first set of questions. Are there further questions, the Leader of the Opposition, or can we get on?

**Mr. Kerrio:** There must be some answers.

## BOOKS BY MARGARET LAURENCE

**Mr. Lewis:** I feel rather anxious about this one. Could I ask the Minister of Education just this and he can reply briefly? Is it possible for the Minister of Education publicly to say—or to send a letter to the boards of education and directors of education, which says—that Margaret Laurence is a fine Canadian writer, and that her book “The Diviners” is a splendid, superlative piece of writing; that before these intellectual oafs, who characterize themselves as directors of boards of education, remove books from lists which his ministry has sent out, they might at least read the book and not apply censorship in a vacuum? Even if the minister can’t intrude on municipal autonomy to that extent, at least give his own public approval, or his own declaration of support, to such a fine writer so this nonsense stops in Ontario.

**Hon. Mr. Wells:** Mr. Speaker, that sounded more like a speech than a question.

**Mr. Lewis:** Well, it’s ridiculous that Margaret Laurence—

**Hon. Mr. Wells:** I certainly agree that Margaret Laurence is a fine Canadian author. I certainly do not object to her book being included, but I think we have to recognize that if we do believe in local autonomy and giving people the right to do certain things and exercise certain prerogatives in running their school systems, and asking them to be elected and represent the people in their particular area, we have to give them certain rights to make either good or bad decisions.

**Mr. Lewis:** Sure, I agree.

**Hon. Mr. Wells:** Given that, I have to leave it to those people to have this kind of debate from time to time about certain books. I certainly don’t agree with the attitudes that some people take toward certain books—

**Mr. Lewis:** That’s all I wanted to hear.

**Hon. Mr. Wells:** —but I do respect the right of local trustees to have discussions of this nature and to make decisions where those decisions have been left to them by this Legislature.

[2:45]

## USE OF SEWAGE SLUDGE

**Mr. S. Smith:** A question to the Minister of the Environment: Is the minister aware

of the recently reported cases by the Indiana State Board of Health in the United States which have found very high concentrations of PCBs in milk from cows that graze on pasture where city sewage sludge was spread as a fertilizer?

**Hon. Mr. Kerr:** Is that PCVs or PCBs?

**Mr. S. Smith:** PCBs.

**Hon. Mr. Kerr:** No, I’m not aware of that study.

**Mr. Nixon:** What about PCVs for the cows?

**Mr. Breithaupt:** It’s the other one he knows about.

**Mr. S. Smith:** By way of supplementary, Mr. Speaker, could the minister comment on what Ontario is going to be doing about sewage sludge which comes from industrial areas since Environment Canada’s report indicates that there are high levels of PCBs in much of this sewage sludge and that the ministry is still, in fact, encouraging municipalities to buy this sludge as fertilizer? Given the results where corn in Guelph has been shown to pick up high quantities of PCBs although still not to dangerous levels, what steps will the ministry be taking about this?

**Hon. Mr. Kerr:** First of all, the ministry isn’t encouraging the farmers to use on their land untreated sludge from waste disposal sites. At the present time, the arrangement is that someone has a contract to haul the sludge away from a sewage treatment plant and it has to be dumped on an approved site, the same as we would approve a waste disposal site of any kind. If farmers are using that sludge as it comes untreated from a sewage treatment plant, I would suggest they not do that. There is a possibility that certain metallic substances that may be in the sludge, or some degree of PCBs, may be such that it would not be wise to use it as fertilizer.

As I indicated to the hon. member when he asked that question before, we have a number of research projects going on, one at the University of Guelph and one in the Windsor area, where we are attempting to treat the sludge. We must remember that sludge itself is treated waste and then in turn, we are attempting to treat the sludge by removing—

**Mr. Singer:** You haven’t reached John Root’s heights yet. He gave a much better speech.

**Hon. Mr. Kerr:** —as much as possible, some of the foreign ingredients that I have mentioned. We are achieving a certain amount of



success with these experiments but certainly, as I've said and as the speaker at our recent symposium, from which the hon. member derived this question, said: We don't recommend that farmers use the sludge as it comes from the sewage treatment plant, directly on their land for fertilizer.

**Mr. S. Smith:** Just a final supplementary on that: Will the minister not admit that members of his own ministry feel even the treated sludge, which is made available as fertilizer to farmers, contains PCBs and other dangerous chemicals? As far as dumping the sludge, will the minister not admit that even the disposal areas are such that PCBs can be leached out of that area into the adjacent waterways?

**Hon. Mr. Kerr:** No, Mr. Speaker. Dealing with the second part of the question, when we approve a waste disposal site, we take into consideration the possibility of leaching and the possibility of water tables being in the area of that site. The site wouldn't be approved if that danger existed. Again, as I have indicated, from our experiments, it would seem that it is possible at least to neutralize certain foreign or metallic substances that are in the sludge. The hon. member must realize that fertilizer, whether it is raw fertilizer or whether it is manure or what have you, isn't what you would call a pure substance. At some stage, it can be purified—

**Mr. Singer:** Very good.

**Mr. Peterson:** Depends on what you are using, too.

**Hon. Mr. Kerr:** —to the point where it can be used as fertilizer and it depends on the type of crops, for example, with which you use this fertilizer.

**Mr. Singer:** John would never have said that.

**Hon. Mr. Kerr:** I am going to get out of this.

**Mr. S. Smith:** You are up to your knees in it.

#### CLOSURE OF ARENAS

**Mr. S. Smith:** Mr. Speaker, a question for the Minister of Labour: With regard to the arenas in Ontario that apparently are in contravention of building codes and are unsafe, can the minister assure us that the government will do everything possible, including a massive use of Wintario funds, to make sure

that before this fall and this winter season these extremely important facilities will be usable by the small towns and the people of Ontario?

**Hon. B. Stephenson:** Mr. Speaker, as I have said on at least three occasions in this House, the primary concern of this government at the moment is the safety of those structures for the children who will be using them. We have no intention of limiting in any way the hockey or skating programmes in this province, and I am sure that the hon. member for Hamilton West will be happy to know that we are in the process of drafting a complete statement about this so that the communities involved will be aware of the route and channels of communication which they will be asked to use in order to allow us to help them in solving the problems which the safety programme insists upon.

**Mr. Deans:** A supplementary: Could the minister indicate whether that statement will be ready by tomorrow in order that those of us in the House can have a chance to question it?

**Hon. B. Stephenson:** Yes.

**Mr. Deans:** Good. Thank you.

**Mr. Sargent:** Mr. Speaker, in view of the fact that there is no autonomy left in the municipalities—all they can do now is collect their own garbage; that's all they can do now—why doesn't the minister stay the hell out of that business and let the local building inspectors look after that, rather than her people? The minister should stay here and mind her own business, because she has got enough problems here.

**Hon. B. Stephenson:** Mr. Speaker, I would be very happy to agree with the peripatetic member for Grey-Bruce who comes to the House at least once a month—

**Mr. MacDonald:** Is that a medical condition?

**An hon. member:** Oh, Eddie, don't let her say that; that's mean.

**Hon. B. Stephenson:** At any rate, it would be very sudden and it would be a very happy situation for us to leave the responsibility for safety to municipalities. Unfortunately, the municipalities have not seen fit to assume this responsibility.

**Mr. S. Smith:** He is here an awful lot more than the hon. member for St. Catharines (Mr. Johnston).



**Mr. Sargent:** You won't give it to them.

**Hon. B. Stephenson:** We are attempting to help them in this assumption of responsibility by ensuring that the arenas are safe. If the member for Grey-Bruce would be happier to take the full responsibility for the arena in Owen Sound, by all means, let him go right ahead.

**Mr. Sargent:** Just mind your own business!

**Hon. B. Stephenson:** Okay. And you mind yours!

**Mr. Speaker:** Order, please. Is this a supplementary?

**Mr. Yakabuski:** Yes.

**Mr. Speaker:** The member for Renfrew South with a final supplementary.

**Mr. Breithaupt:** He is going to send them on sabbatical.

**Mr. S. Smith:** You'd better ask your questions while you are still here.

Interjections.

**Mr. Speaker:** We are wasting time. The supplementary, please.

**Mr. Yakabuski:** A supplementary: Local authorities are finding it increasingly difficult to understand why some of these buildings that have been condemned in recent months, mostly local community centres, arenas, etc.—

**Mr. Moffatt:** Question.

**Mr. S. Smith:** There is a question coming, I assume?

**Mr. Yakabuski:** —were designed by competent and qualified engineers not so many years ago—

**Mr. Moffatt:** Question!

**Mr. Yakabuski:** They find it difficult to understand why personnel from the Ministry of Labour now are condemning so many of these same buildings that were designed by qualified people.

**Mr. S. Smith:** There is a question by a peripatetic member.

**Mr. Good:** Where was the hon. member when they were built? That is the point.

**Hon. B. Stephenson:** Mr. Speaker, if I might answer that, it is not the members of the Ministry of Labour who are carrying out this function; it is the professional engineers

of this province who are employed by the local municipalities to inspect the arenas who are making the statements and the judgments upon these arenas.

**Mr. Gaunt:** A supplementary.

**Mr. Speaker:** No, I announced that was the final supplementary.

#### HAMILTON MATCH PLATE CO.

**Mr. S. Smith:** A separate question to the Minister of Labour: Is it a fact that it was her intention to announce more than a week ago what her ministry had ordered at Hamilton Match Plate Co., and can she explain to us what the ministry had ordered and the delay in letting the House know about it?

**Hon. B. Stephenson:** Mr. Speaker, we had been awaiting the results of the inspection carried out by the health protection branch, and as soon as that inspection report is completely received within the Ministry of Labour, the directions will be issued and they will be announced.

#### KUSTOM ENTERPRISES

**Hon. Mr. MacBeth:** Mr. Speaker, the member for Wentworth recently asked a question about a firm by the name of Kustom Enterprises.

The chief of Hamilton-Wentworth regional police has informed me that his force received the first of a number of complaints about this firm in April, 1975. The complaints involved overcharging for moving services. The complaints in each case were examined by the police, although there were no criminal acts committed. As the matter involves unfair business practices, the Ministry of Consumer and Commercial Relations, business practices division, is now investigating.

The member for Wentworth asked specifically about a Mr. Greathead. There are no criminal charges against him under investigation at this time. Should anything of a criminal nature arise through the investigation by the Ministry of Consumer and Commercial Relations, the Hamilton-Wentworth regional police will be responsible for the investigation and follow-through in this area.

As was stated, Mr. Greathead did move from his residence but the police were unable to detain him as there have been no charges against him. As I have indicated, the Hamilton-Wentworth regional police will continue to monitor this situation.

## ADVISORY COMMITTEE ON DAY CARE

**Ms. Sandeman:** I have a question for the Minister of Community and Social Services. Given the fact that it is now six months since the minister terminated the work of the Advisory Council on Day Care and given the fact also that as he did not table the final report of that council and therefore we have no explanatory statement with it, could he now tell us what plans he has for completing the mandate given to that council, particularly the making of a total assessment of the need for day care in this province and the identification of gaps?

**Hon. Mr. Taylor:** May I reiterate that the advisory council was an advisory council set up by my predecessor to advise the minister. That council submitted three reports. Each of those reports was published and distributed to those who are interested. I would presume that the hon. member would have a copy of that particular report.

We have, since the reporting process, made changes. In terms of day care we have complied with the recommendations which were in the first report, for example, in terms of fire protection and physical requirements. The second report, if my memory serves me correctly, dealt with such things as ratios of supervisory help and staff to children. They wished no change in that and we have respected that request.

Since then we have set up a new post, a director of child care, in my ministry. May I also say that the support staff of that advisory council to the minister were my staff. They still are my staff and we are continuing with them an ongoing review and hopefully improvement of the situation.

**Ms. Sandeman:** Supplementary: Specifically could the minister tell us what action he intends to take on the recommendations made in the final report?

**Hon. Mr. Taylor:** If the member wishes to discuss some of these, and no doubt she will later this afternoon in my estimates, she can deal in some detail with that particular report. But as I mentioned, some of those recommendations have been implemented. They are under continuous review by my staff. We are exploring and utilizing other methods of day care which have been recommended, of course, apart from the institutional type of day care that some people think is the only form of day care there is.

## INFESTATION OF ARMY WORMS

**Mr. Ruston:** I have a question for the Minister of Agriculture and Food. Is the minister aware of the invasion of army worms in the wheat crop in Essex and Kent counties? Since the farmers are paying for a large air show all weekend, I wonder if you have any biologists or any people from your ministry checking over the situation?

**Hon. W. Newman:** Yes, I am quite aware of the fact that the army worm infestation is worse in Essex county—

**Mr. Mancini:** I told you Friday.

**Hon. W. Newman:** You didn't even know what army worms were when you told me. You asked for it. There are about 10,000 acres of infestation in this county. There has been a great deal of spraying being done over this past week, both with Sevin and Malathion. Our provincial entomologist has been on the scene and has been travelling around the area. The worst outbreak is in Essex of course and in Kent. There has been extensive spraying done and it is still going on. Mainly it's the wheat crop that's been affected. Certainly, anyone who has crop insurance is covered for this sort of infestation in the crop insurance programme.

**Mr. Mancini:** Supplementary, Mr. Speaker: Has the minister given any consideration to making spraying of these army worms compulsory so they don't spread from one field to another?

**Hon. W. Newman:** I understand there's been a request by the farmers in the areas that the municipalities do some spraying along the roads but to this point in time there has been no action, to my knowledge, on that particular request.

[3:00]

**Mr. Mancini:** Did the minister understand my question, Mr. Speaker? I was wondering if the minister would make the spraying compulsory in certain areas, so these worms wouldn't spread from one field to another?

**Hon. W. Newman:** No, I won't make it compulsory. The farmers know the problem; they know how to deal with it. The ag reps are on hand; both of them have been there. Our provincial entomologist is in the field. Certainly, having known what it is like to have army worms controlled, I think the farmers will take good—

**Mr. S. Smith:** Is it painful?

**Hon. W. Newman:** It's very expensive to the farming community, and they're doing a



good job of controlling it at this point in time.

### SUNDAY SHOPPING

**Mr. Mackenzie:** Does the Solicitor General have a response to the question of Sunday shopping at the De Pietro supermarkets in Hamilton that I raised with him several weeks ago? Does the minister not recognize this is a deliberate move to circumvent the legislation; and what further damage will be done to the legislation if the other chain stores follow suit with the same type of an operation, which is now rumoured?

**Hon. Mr. MacBeth:** At the request of the member for Hamilton East, I had an inquiry carried out for me and I have had a reply for the member within the last few days. I think maybe I left it back in my office today, but I will get it for him.

However, it involved a fairly large store, where there was a closing off of part of the store by way of partitions. The Hamilton-Wentworth police investigated the matter. Their first time around I think they saw that this was what was happening, but there was no breach of the law as they understood it. I think on further complaints they went back and found that there were items on the other side of the partitions that were being asked for and were, in fact, delivered to the customers. They went back and warned them that that shouldn't go on, and the store owners agreed that they would not do that.

But as far as partitioning of stores goes, we've dealt with that recently in our estimates. That was one of the items that we foresaw and discussed when the bill was passing through committee last fall. I don't think there's anything improper about it. If it becomes too common a practice, it may be that when the legislation is reviewed, amendments will have to be brought in to stop that type of action. But as I say, the committee foresaw that it could happen, and in fact it is happening in certain locations.

### MILK PRODUCTION

**Mr. Riddell:** A question of the Minister of Agriculture and Food: Could he report on his meetings with the Ontario Milk Commission on Friday, and, I believe, the meeting he had with Mr. Whelan on Saturday? What does he intend to do to help these milk producers who are ringing our telephones off

the hook, telling us that in place of a \$3,000 cheque they're getting \$500, and they simply can't pay their taxes or their hired help? What is the minister going to do about it?

**Hon. W. Newman:** Mr. Speaker, I had a meeting last Friday afternoon with the Ontario Milk Commission and the Ontario Milk Marketing Board. I happened to be in Guelph on Saturday at a function, together with the Minister of Colleges and Universities (Mr. Parrott) and had a meeting with Mr. Whelan for about an hour to outline the problems we're faced with in the milk industry in the Province of Ontario today. I pointed out to Mr. Whelan at that time that he's going on a percentage of monthly quota, and you can't turn a cow on and off. Something has to be done about it.

**Mr. Conway:** What are you going to do about it?

**Hon. W. Newman:** Does the member realize it's a national programme? Does he realize that we're involved too; we're trying to work at it from both ends to help the farmers? Surely, he's aware of that. Don't tell me he isn't.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. W. Newman:** The \$860 deduction that's being deducted at the request of the Canadian Dairy Commission for a hundred-weight and over quota of milk is really hurting, and that's where the big pressure is coming. We have suggested and are making suggestions to Ottawa that that figure is too high. If they would reduce that figure there would be an automatic repayment to those people who have deductions on over-quota supplies. If they would reduce the percentage allocation from a monthly basis to either six months or a yearly basis, there would be an automatic repayment to those producers. As I said before, you can't shut cows on and off.

**An hon. member:** At either end.

**Hon. W. Newman:** I was to be in Ottawa today to discuss the national egg plan with Mr. Whelan. Unfortunately, certain circumstances at the airport prevented myself and many other ministers from around Canada being at that meeting today. I was told by Mr. Whelan last Saturday that he was quite prepared to discuss it further today.

I have been on the phone today to Mr. Whelan to ask for an immediate meeting,



because I know the consequences down the road. I know that the money has been held back; the \$860 in the Province of Ontario that has been deducted and has not been sent to Ottawa at this point in time. I'm also aware of the fact that Quebec is doing it on a quarterly basis. There have been no deductions at this point in time. I know when they make their deductions in the July milk cheque what's going to happen in the Province of Quebec.

It's a national problem and yes we have some involvement provincially. But I say this advisedly—don't stand over there and ask me what we are doing about it. We've done something and we are prepared to do more. But we will have to get some answer from Ottawa to help these farmers in the Province of Ontario and across Canada. I am concerned about it and I've been trying to get a meeting, and I am hopeful that by the time I get back to my office this afternoon I will have confirmation of a meeting in Ottawa.

#### ARREST OF STUDENT AT WESTERN UNIVERSITY

**Mr. Eaton:** Mr. Speaker, I have a question of the Minister of Colleges and Universities. Is the minister aware of the arrest today of a foreign student at Western University who was working for the student council? He was apparently arrested because he didn't have a work visa.

**Hon. Mr. Parrott:** No, I wasn't, Mr. Speaker. I am sorry that I wasn't aware of that.

**Mr. Eaton:** Would the minister look into this matter? Also, because of the concern of the student council as to its position on the matter, would he look into its liability and possible charges that could be laid against it?

**Hon. Mr. Parrott:** Yes, I will be pleased to do that. From the question, I am not sure whether that is a problem of federal jurisdiction—Manpower and Immigration—or whether it is a legal problem for our own ministry. I will be glad to report back to the hon. member.

#### NEW TELEPHONE EQUIPMENT LIMITATIONS

**Mr. Swart:** A question of the Minister of Transportation and Communications: Is the minister aware that the Bell Telephone com-

pany is planning on proceeding, in spite of protests by the Canadian Hearing Society and others, with the introduction of the balanced armature receiver which will prevent those with hearing aids from being able to use the telephone—or at least interfere with them in the use of the telephone? Has the minister intervened with Bell Telephone through the CRTC or directly in this matter? Or will he do so?

**Hon. Mr. Snow:** Mr. Speaker, it is some little while ago now, but I know we have had correspondence, I believe, with the Bell Telephone company. I would be glad to look that up and get the information for the hon. member.

**Mr. Swart:** A supplementary, Mr. Speaker: Would the minister agree that the provincial government has intervened on many occasions with regard to Bell rate hearings and therefore that in an important matter like this it is imperative that the minister does intervene on behalf of the hard of hearing if he hasn't done so? If he has done so, will he intervene again at this time?

**Hon. Mr. Snow:** Mr. Speaker, as I stated we have had some involvement in this particular matter and as I recall we got the matter satisfactorily resolved. But I would like to look it up and get the details.

**Mr. Breithaupt:** The question was, Mr. Speaker, whether the minister would find out from Bell Canada whether it is possible for persons who are hard of hearing either to retain the present equipment they have or to have some adapters to any new equipment, so that they would be in the position of being able to use telephone equipment for the mutual satisfaction of everyone involved.

**Hon. Mr. Snow:** The same answer goes, Mr. Speaker. I've had correspondence with Bell Canada. I can't recite the final details of the answer I got from Bell, but it appeared to me that necessary arrangements have been made to eliminate this situation. If they haven't, I will certainly make further representation to Bell Canada.

**Mr. Swart:** Supplementary, Mr. Speaker—

**Mr. Speaker:** I think we'd better get on with it. We are getting the same answer to each of the questions. No. The hon. member for Grey with a question.

**Mr. McKessock:** I have a question of the hon. Minister of Culture and Recreation—I believe he is within walking distance of his seat.

**An hon. member:** He's not here.

**Mr. Speaker:** We'd better have the member for Waterloo North.

#### DUMP TRUCK RATES

**Mr. Good:** Mr. Speaker, a question of the Minister of Transportation and Communications: Why did he wait until May 27 to start the increase given to dump truck operators working for contractors on government contracts? This increase had previously come into effect on all contracts starting April 1, his fiscal year, and there had been a promise from the ministry officials that such an increase would come into effect on April 1.

**Hon. Mr. Snow:** Mr. Speaker, I think there are several inaccuracies in those statements by the hon. member.

First of all, there has never been any definite date set for when increases for dump truckers come into effect. From time to time we do review the minimum rates which are published in our contracts.

In the actual tender document the contractor bids on, there is a schedule which states the minimum amount that must be paid for contractors hiring dump trucks. That minimum is for the term of the contract. Each year ministry officials consult with the dump truck industry. They review the increases in costs of equipment and operating costs and establish a new rate but it has not been set up and structured for any particular date each year. In 1975, as I recall, the implementation date was in January. This year it happened to be in May.

**Mr. Good:** A supplementary: Is the minister saying there was not a promise given last December to start the increase on April 1?

**Hon. Mr. Snow:** Certainly there was no promise by me and in trying to investigate the matter I have not been able to find any one who gave any commitment such as that.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

Motions.

**Hon. Mr. Welch** moved that notwithstanding standing order No. 3 the House will continue to sit between 6 and 8 o'clock tonight.

Motion agreed to.

**Mr. Speaker:** Introduction of bills.

#### ANSWER TO WRITTEN QUESTION

**Hon. Mr. Welch:** Mr. Speaker, before the orders of the day I wish to table the answer to question No. 59 standing on the notice paper. (See appendix.)

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 14th order, House in committee of supply.

#### ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

On vote 2702:

**Mr. Chairman:** Is there any discussion on item 3, social services?

**Mr. McClellan:** I will give the minister about 30 seconds to be seated and get his documents in order.

**Mr. Chairman:** Order, please. I think the hon. minister is now listening. Will the hon. member continue?

**Mr. McClellan:** Thank you, Mr. Chairman. It is my understanding that we are on vote 2702, item 3, social services. Time constraints are weighing very heavily on us and we're going to have to be selective in what we cover. I want, by way of opening the discussion on social services, to deal with the issue of day care, daycare needs in this province and the record of this ministry in providing daycare services.

It's very difficult to get a clear handle on this ministry's actual daycare performance. I have, in front of me, a variety of conflicting statements from different branches of the ministry and before we go too much further I would really like to get that cleared up.

Sometime in March, the ministry issued a press release indicating it had spent during the past four years—I'll read what it says, "During the past four years more than \$25 million in capital funds have been provided to add about 7,000 new daycare places, including the recent daycare expansion programme." It is my contention that you may have provided \$25 million for daycare capital but you sure haven't spent \$25 million for daycare expansion.

[3:15]

The minister sent me a letter on Jan. 12 indicating the total expended for each of the years 1973-1974, 1974-1975, and 1975-



1976, totalled \$11 million. If we add to that the \$6.7 million actually spent in 1972-1973, we are still a long way from the \$25 million you are running around telling the people of this province you have spent on day care. You continue to play figure games with the media, and with the public of this province. You extend that chicanery into the field of day care as well.

Let me point out to you, in your statement to the Legislature on June 10—maybe the minister will recall it was his opening statement as we started these estimate debates—you said:

Provision is made in these estimates for \$34 million in operating funds and \$6 million of capital for day care. Ontario already has what is reputed to be the finest daycare provisions in North America and the moneys requested for operating costs are double those of last year's estimates.

I would like the minister to tell me, and this House, where is the \$34 million in operating funds for daycare services in this province? My estimates book says \$29,101,300. It may well be, and I would be delighted to hear that the minister has daycare operating funds tucked away in some other items of his ministry's budget, but I rather doubt it. Is the minister able to clarify this discrepancy of some \$6 million in what he claims to be spending and what the estimate book indicates he is spending by way of operating fund?

**Hon. Mr. Taylor:** In response, Mr. Chairman, in item 3, social services, the capital grant for daycare facilities for children, the total item there is \$5,539,900. That's capital.

**Mr. McClellan:** That's not what I asked. You said in your statement there was \$34 million in operating funds. I am just asking you where it is.

**Hon. Mr. Taylor:** That's right, I did and it is here.

**Mr. McClellan:** Where? Tell us where?

**Hon. Mr. Taylor:** All right, be patient and you will get everything you want.

**Mrs. Campbell:** Is that a promise?

**Hon. Mr. Taylor:** That's a promise, assuming of course that what he wants is reasonable.

**Mrs. Campbell:** Good.

**Hon. Mr. Taylor:** All right.

**Mr. McClellan:** Have you got it?

[Interruption]

**Mr. Deputy Chairman:** We will adjourn the House for grave disorder for a period of five minutes. We will have the strangers removed.

[On resumption:]

**Mr. Deputy Chairman:** Under the circumstances we will now resume the proceedings.

**Mr. Lewis:** I guess it couldn't have been a grave disorder. Maybe it was just an uncomfortable disorder.

**Mr. Deputy Chairman:** Any further comments on this vote?

**Mr. McClellan:** I have many comments to make on the field of day care and if I may address the third party—if we could just proceed through my stuff and then carry on to the next speaker. I have a number of points that I want to deal with on this issue.

**Mr. Lewis:** If the minister would answer you wouldn't get an interruption.

**Hon. Mr. Taylor:** Again on item 3, subsidies and grants toward operations and maintenance of day nurseries, you'll see the item \$29,101,300 which is the operating moneys.

**Mr. McClellan:** Right, and that's very nice but maybe the minister would like to tell this House, maybe the minister would like to tell the media, why he sent out a statement on June 10, that said he was spending \$34 million? We're getting pretty sick of this kind of performance — \$34 million in operating costs and \$6 million in capital costs. We're getting sick and tired of your fun-with-figures games, Mr. Minister.

**Mr. Warner:** Resign.

**Hon. Mr. Taylor:** Mr. Chairman, if the hon. member for Bellwoods would be patient and observant, he would see that there is also the item of \$5,031,900—

**Mrs. Campbell:** That's capital.

**Hon. Mr. Taylor:** No, for MR, which is the day care for the retarded, which is in there as well.

**Mr. McClellan:** Where is that, please?

**Hon. Mr. Taylor:** It's in the operating. If you look at your estimates, under community



programmes, toward the bottom of the page you'll see \$15,335,300 and it's in there.

**Mr. McClellan:** So there is, in fact, an additional \$5 million for mentally retarded persons.

**Hon. Mr. Taylor:** That's right—which totals to \$34,133,200.

**Mr. McClellan:** Very delighted to hear that. Let me simply say, again, that you have consistently, over the last five years, allocated funds for daycare capital expansion which you have, for a variety of reasons, some of them legitimate, been unable to spend. But I don't think you've played fair, frankly, with the people of this province in the way you have described the moneys that have been put into daycare capital expansion and not expended in one year and then carried over—not technically carried over, but for political purposes, carried over—into a following year's budget so that you can claim, now, that the provision of \$25 million in capital funds was, in fact, the expenditure of capital funds, over the last four fiscal years, and is substantially less than the trumpeted \$25 million that you proclaimed. It makes your assertions, that we need to freeze additional capital funds for the—and I'm talking about new capital money for new projects in 1976-1977 which, you have asserted, we can't afford. It makes that assertion so much nonsense.

**Hon. Mr. Taylor:** Mr. Chairman—

**Mr. McClellan:** Let me just finish on this and then perhaps you can respond, because I did have a couple of points that I wanted to make, with respect to the need for additional capital funds for daycare expansion in this province.

Let me refer you to a document that was submitted to you, on April 15, 1976, by the Metropolitan Toronto Day Care Study Committee. It's an advisory committee to the social services and housing committee of the council of the municipality of Metropolitan Toronto, and I hope you will, if you haven't read it yourself personally, take the time to do that. It sets out, in a very clear and lucid way, the concerns that I would like to be able to make and express myself, and I'm going to refer to a couple of sections of that excellent document.

They refer to the need, in Metropolitan Toronto, for day care. In contrast with what exists, some 21,249 daycare spaces, the need, conservatively estimated by them, at 51,668 spaces. They comment on the effects of this 5.5 per cent ceiling on the provision

of daycare services in this municipality. While it's too early to assess the full extent of the damages to Metro Toronto's daycare programme, the following is a list of the programmes which have been lost:

In the field of day nurseries group care: five new centres; three renovated centres, Blake St., St. Clemens, Sheppard Ave.; one centre in a vacant classroom; three centres in the infant care programme, Ancaster, Holliston and Rawlinson; in family day care approximately 50 spaces. In total, it is estimated that 1,200 of the spaces planned for Toronto in 1976 have been lost.

In addition, there will be no new purchase service agreements in 1976 for private centres. Enrolment in existing centres has been frozen as at Oct. 31, 1975, and on and on. The minimum fee has increased 100 per cent.

Just one brief example since the minister had referred to it earlier in the session, I believe; the daycare centre, St. Michael and All Angels, which is in Bellwoods riding and which the minister opened earlier in the spring. They had been counting on receiving 18 subsidized spaces in order to run a viable operation. They received 12 and they are in considerable difficulty. I think you will realize that people can't do that kind of planning, particularly volunteer groups or community groups, on the basis of clear understandings around commitments and then have those commitments altered in midstream. It is a recipe for disaster.

If I may refer back to the brief again, the deletion of funds for capital projects and research has caused considerable concern. The consequences of these cuts extend far beyond 1976-1977 and it will have impact on the development of day care in Ontario over the next decade. The lack of funds for capital expenditure will not only severely limit the possibility of expansion of day care by municipal governments but will operate to discourage private groups from attempting to start their own neighbourhood centre.

All of the minister's rhetoric about the importance of the non-governmental sector in the provision of social services is just so much nonsense when we have a look at the record of his ministry with respect to these non-governmental volunteer and private agencies which attempt to operate under the impossible funding policies of this ministry.

The fact remains that there is a tremendous shortage of day care in this province no matter how you want to slice it and there are no grounds and no justifications for cutting back on capital funds. I know the minister is going to say: "We're not cutting back on

capital funds; we're spending \$5 million on daycare capital or \$6 million on daycare capital this year." That's a lot of bunk.

What you're doing is picking up projects that were planned in previous years, on the moneys that were in budgets of previous years and which are now coming on stream. If new groups come to you in 1976-1977, you will be turning them away. It is as simple as that. That is going to exacerbate the already critical shortage of daycare facilities in this community.

Let me just wind this section up by referring again to the reality of the daycare shortage, particularly in Metropolitan Toronto where it is frankly easiest for me to document. I have been receiving, over the last few months, reports from a few of the larger more well-established daycare services in this community of Metropolitan Toronto. They have been kind enough to provide not just myself but also the director of the day nurseries branch with a record of their requests for service from month to month—requests which they have not been able to meet because of the tremendous shortage of daycare spaces in this community.

[3:30]

Victoria Day Care Services wrote me on April 15 and gave me the statistics for March. In the month of March, the following requests were received: 28 from sole support families; 41 from two working parents; five from families with special needs, for a total request for daycare spaces of 74. In March, admissions to group care were two and to private home day care, nine. They were unable to find spaces for that group of persons which had come to them with daycare needs; they were simply unable to meet the needs.

Let me tell you who those folk were. Mr. and Mrs. X have three children, aged four weeks, two years and five years. Their father works in a factory at \$150 a week. The mother must return to work immediately. Family situation included a \$335 a month mortgage payment and \$50 in debts.

Mrs. J is a sole support mother who came to Canada from Argentina two years ago. Her five-year-old daughter, who is in senior kindergarten in the morning, is temporarily being cared for by an uncle for the remainder of the day. Other care must be found or the mother will have to leave her job.

In May, Victoria Day Care Services provided me with their statistics for April. They received the following requests for daycare spaces; 38 requests from sole support families; 46 requests from two working parents;

four from families with special needs, for a total of 87 requests for daycare spaces at this one agency alone in the city. They were able to admit six on subsidy, two on non-subsidy basis but no children were able to be accommodated in the nursery. They explored other community resources. They are the kind of agency that does that kind of exploration and referral work thoroughly and conscientiously but they were unsuccessful in the remainder of the cases.

Another case is as follows: Mr. X is a sole support parent with two sons, five and 10 years, and two daughters, 12 and 16 years. He is living on welfare payments and wants to get work. You talk about wanting to make it possible for people on welfare to return to work but at the same time you cut down on the expansion needed in daycare services, the very services that make it possible for sole support parents, male and female, to be able to return to work. It's patently fraudulent. Until you're prepared to put the necessary funding into an expansion of day care to meet the real present needs in our communities all of your rhetoric about wanting to help people return to productive employment is seen for the fraudulent nonsense that it is.

One more case. Mrs. T. is a sole support mother earning \$440 a month to take home. Out of this she pays \$170 rent, all inclusive, in a house. Her only child was born in April, 1971, and she is seeking day care. She has been working in the sheriff's office and was interested in improving her career so she enrolled in a course at Humber College, a paralegal training programme. It's a one-year course, precisely the kind of career-oriented programme that ought to be fostered and sponsored on behalf of single parent mothers. She doesn't have daycare facilities. The opportunity for her to participate in the training programme is jeopardized.

I could go on and on but I won't because of the time constraints and our commitment to try to share this time equally between the two opposition groups. From this one agency alone material which has been provided to you issues a most compelling case around the shortage of daycare facilities in this community, and tells you very clearly the kind of folk who are unable to receive adequate daycare services and the consequences to them in terms of their inability either to make essential arrangements for their children because of the emotional needs of the family or secondly to return to productive employment or to engage in the kind of employment training and upgrading that is essential



for single-parent mothers if they are to succeed in the labour force.

I'll stop at that point and just put our position to you again. I spoke at length on the issue of day care during my contribution to the budget speech. If you want to know why we in this party attach such importance to day care I invite you to have a look at those remarks. I don't intend to repeat them now and I think the gist of what I said is very clear: that we are totally dissatisfied with your performance in the daycare field. We reject completely your singling out of day care as a rational area for constraint. We urge you to bring in supplementary estimates before this parliament terminates that would redress a most foolish mistake on the part of this government in cutting back and imposing constraints in the provision of daycare services to this province.

**Hon. Mr. Taylor:** Mr. Chairman, much has been focused on the Metropolitan Toronto situation.

**Mr. McClellan:** It is the same—

**Hon. Mr. Taylor:** May I say that first of all in explanation of the capital programme of the \$25 million: Sure there have been carryovers from year to year, but that is necessary. I think you will appreciate the reasons why, because it is necessary to get sites, to develop plans and so on, to work out the physical arrangements for the building.

**Mr. McClellan:** I concede that—it's the phrasing—

**Hon. Mr. Taylor:** All right. So you just can't press a button and get instant daycare centres. When I took over this ministry I reviewed all of the applications that were in for daycare centres and I was frankly concerned that there was a slowdown in processing those applications that were submitted. That involves Metropolitan Toronto as well.

I did everything I could to expedite it and to get those persons who had applications to get on with their applications—to see that the centres were built—if they were sincere. Some of them pulled out. There were others that were brought into the stream. This year we will see some 1,778 new places developed. Sure, we had a carryover because it wasn't physically possible to spend the amount of capital moneys that were there. So we had a carryover of about \$6 million.

Remember when you are talking about Metropolitan Toronto and any other municipality that there is a cost that it must bear as well, in terms of the operating costs. And

don't think that Metro wasn't concerned in regard to its involvement in financing the operating costs of 20 per cent. It was concerned. As a matter of fact it had struck from its budget those five daycare proposals even before the constraint programme was in effect.

I was instrumental in reinstating one of the daycare centres—the Willow Ridge one. You may recall it. It's easy to focus on my ministry and say "you are to blame for no more day care" but that's not the picture at all. And again—

**Mr. McClellan:** Let me ask you one question.

**Hon. Mr. Taylor:** Just a minute now. I want to respond to you. If you want to look at the figures and get some perspective on the matter in day care, you will see that we have gone in the last five years from—I was looking at 1971-1972—an expenditure of \$4,409,349—that's on operating, on the regular day care. That's not involving the MR field. In these estimates we have an expenditure proposed of \$29,101,300. In five years we have had an increase of 560 per cent in operating costs alone for daycare centres. It is all very well to criticize and say that we're not doing anything but in my submission that is not standing still.

Furthermore, if you look at what's happening in the figures, and I have watched the—

**Mr. McClellan:** You have applied a freeze.

**Hon. Mr. Taylor:** Just a minute. I've watched the figures and seen what's happening in terms of the capital cost as well. We used to figure, last fall even, that it was around \$5,000 per place for day care. The other day I was dealing with one of the members in the third party in connection with a daycare centre that required some additions. I noticed that it was \$6,000 a place.

Our operating costs are running about \$2,400 a child per year. Don't think that we can't get involved in a lot of money just carrying on with our existing programmes. There are a lot of involvements here. It's very easy to say: "Why don't we have more; and press buttons and get more day care?" We have to look at new approaches in terms of day care. We have to look at less capital costs in terms of new construction, utilizing existing facilities where we can.

You made mention of St. Michael and All Angels daycare centre.

**Mr. McClellan:** That's an excellent approach.



**Hon. Mr. Taylor:** It's an excellent one. I'm sorry you weren't at the official opening. You were conspicuous by your absence.

**Mr. McClellan:** We went into that before. We got the wrong date from your ministry.

**Hon. Mr. Taylor:** Not from me you didn't. I didn't send out the invitations to that opening. I thought the alert critic would have been at that opening to seize the political opportunity of showing his interest.

**Mr. McClellan:** Let's deal with that now?

**Hon. Mr. Taylor:** Apart from that, you made mention of St. Michael and All Angels, and the decline. As you know, they have a purchase of service agreement. We can't control, in my ministry, the allocation or the purchase of places by municipalities, of all of the places—

**Mr. McClellan:** It is your freeze that has cut down the space.

**Hon. Mr. Taylor:** —that you may think are necessary and maybe others think necessary.

**Mr. McClellan:** You should at least have the guts to acknowledge the consequences of your own policies.

**Mr. Deputy Chairman:** Order, please.

**Hon. Mr. Taylor:** That's your interpretation. Did you know that in Metropolitan Toronto they're spending 20 per cent more on social services this year? It's okay to blame me or my ministry. That's easy for you. It's a simplistic approach but it's not correct. It's not accurate. The priorities are established at the local level.

**Mrs. Campbell:** Oh, no.

**Mr. Chairman,** before I embark upon my observations on day care, I wonder if the minister is prepared to extend to the Toronto and District branch of the Canadian Restaurant Association the deep appreciation of his ministry for their obvious concern to maintain the meals on wheels programme for the elderly which is, of course, threatened by the restraints. I would hope that he might, at least, extend his appreciation if nothing else.

I am not going to follow, and give you again, the various information which was given by the critic for the official opposition. I would hope I might try a new approach to this minister. We have somewhat tilted with swords and even sabres in the past, and now I would like to plead with him to understand, if he can, the very real problem of day care, particularly in Metropolitan Toronto.

The critic for the NDP has referred to the experiences of Victoria Day Care Services for a two-month period. I'm not going to repeat them. However, perhaps if we could get into perspective, if we could understand exactly what the demands have been during the year 1975, we could then at least look at some of the needs as demonstrated in the Metropolitan area.

[3:45]

In the first place, in 1975, 4,000 families applied for child care to Family Day Care Services, competing for a possible 246 places; 1,200 families applied for child care to Victoria Day Care Services for a possible 148 places; 1,000 families applied for child care to Cradleship Creche for a possible 188 places. Perhaps this places in perspective the concerns of the opposition, because it doesn't begin to demonstrate the very real needs in this community.

I would like to say of those requests—and I quote from a letter from Victoria Day Care, dated April 8, 1976:

These were requests from pressured, anxious women. Many were sole-support mothers with the total responsibility for their children; many were newcomers struggling to help their husbands establish a home in Canada. This is one small segment of unmet needs in one city in Ontario.

They go on to say that they believe this need is duplicated not only in the cities but in the rural areas of Ontario.

Perhaps I might continue to read, because it expresses my philosophy and that of the Liberal Party:

Inadequate services for child care have serious effects on children's healthy development and the possibility of family stability and independence. Your proposals can have no other result than increased financial cost to the taxpayer and increased social cost to families and communities.

I think we start from different definitions, and perhaps it flows from different experience—at least in charity I would like to hope that's the explanation, because as we move into these troublesome times, as there are pressures on the family and these pressures are reflected on the children, it really isn't useful to say that we aren't having to curtail services; you consistently say there is more money available, but the money available does not provide adequately for increases in services at a time when the need is very very great.

May I also refer you to another statistic coming from the Metro Children's Aid Society; they say:

Admissions to care during the year [that is, the past year] showed a marked increase of 13.5 per cent in the five- to 12-year-old group. One alarming factor is that 50 per cent of children in our care are now over the age of 13, requiring more costly types of care. Another significant development is the increased number of children with intellectual impairment requiring CAS services. This figure has now reached 30 per cent of the society's children in care; many combining this handicap with serious emotional or physical disabilities.

While that doesn't relate to the daycare programme, I have read it in conjunction with what I have been saying about daycare, because hopefully it does show the minister that the costs of this type of service in the Children's Aid Society, as in the daycare services, are increasing because of increased needs. Surely, during the course of these estimates we may hear from this minister. I would say, not to be provocative, but at long last that he does indeed recognize that restraint programmes really effect cut-backs in services to children.

It's strange that in all these years we've had this one government in this province that there has never been a real look by the government at the needs and rights of children. Yet of all of the services which are under attack in this particular vote—I should allow that there are senior citizens and ones as I have mentioned—most of them are attacks on children themselves. They wonder if we couldn't come forward from this minister, with a very firm statement that we are not about to subsidize those awful women who don't get up in the morning and don't look after their children. I wonder if we could simply regard it in all humanity as a necessity for children in these times, which are so trying to everyone, and of which they become the ultimate victims?

May I now quote from another philosophy and on perhaps a broader general basis?

During the past few years, women with pre-school children have been increasingly entering the labour market. For many of these families the choice has been to go on welfare or to find gainful employment. Others have not had even this simple choice. My government feels that it is tremendously important that mothers with young children have the option to make the best decision that fits their particular

situation. Consequently, my government has encouraged the orderly development and expansion of daycare services with special priority being given to the one-parent family and to families on low incomes which could not ordinarily afford adequate child care arrangements.

Of course, I am quoting from an address by the Hon. Marc Lalonde on Thursday, June 10, 1976, at 7 p.m. There is a philosophy to which we all here subscribe. It is unfortunate that you do not seem to understand the very needs of these people.

In the light of the time restriction I would like to make reference once more to those rather peculiar agencies which don't really fit in in total with this picture but which again are providing welfare services to children or care to children. Once more, as I did in my reply to the Throne Speech, I refer to women in transition and interval houses who are trying desperately to look after both the mothers and the children who find their way there as a result of the battered wife syndrome or the deserted wife who, with her children, needs care. These programmes are, of course, under the gun, as I understand it. I would like clarification from the minister as to whether he proposes to do something about those because, again, if he doesn't, these children will add to the financial burden of the other agencies.

In closing, I would like to have from the minister a statement as to what standards we are now employing in day care because there has been no really unequivocal statement made by him. I would like to understand what his position is and whether all of this panoply is for babysitting services in his eye or whether indeed we are embarked on an early learning programme.

**Hon. Mr. Taylor:** I must compliment the new chairman on the order he's keeping in the committee.

**Mr. Acting Chairman (Spence):** Thank you.

**Hon. Mr. Taylor:** In response, may I say in reference to the last query there has been no change nor do I contemplate any change in terms of the regulations under the Day Nurseries Act in terms of standards, whether they be ratios of supervision staff to children. I did mention that fact earlier in the House today in response to a question.

May I also reiterate that it's a simple matter to talk about the demand or the need for more daycare places but it's a very difficult thing to determine in a couple of respects. As you know, with the capital pro-



gramme we have had, which is providing 100 per cent of the capital, it just couldn't be taken up within the time frame we had anticipated.

It's not just a question of money. It's a matter of translating that money into actual construction and programmes, daycare centres in other words, in the communities. It's not a simple matter of how much money and that's why we have a carry-over this year of about \$6 million capital—

**Mr. McClellan:** Otherwise you wouldn't have a red cent.

**Hon. Mr. Taylor:** It's all right for you. As I say, it's simple to say why don't you have more, but these things have to come about and it takes a lot of planning.

**Mr. McClellan:** Despite your ministry, daycare facilities get built.

**Hon. Mr. Taylor:** There was a big involvement in doing this. It involves a lot of people. It involves the local municipality, the community. It may be a charitable organization; they have to arrange for 20 per cent of funding and they have considerations as well.

In terms of waiting lists, I've discussed this with the chairman of the Metropolitan Toronto social services committee because they don't really keep a waiting list as such. It's a very fluid situation. It may be a parent or two parents requesting day care, maybe in several places. It may be subsidized day care. It's very difficult to go by the number of applications there might have been to a daycare centre for day care.

Mention was made of the Victoria daycare service and some months ago it came to my attention that the number of applicants had declined. They weren't getting the same response because the public perception was that day care had been cut out with cutbacks. Therefore people seemed to think from reading the newspapers that there wasn't any more day care which is entirely false, of course.

**Mrs. Campbell:** Hope deferred maketh the heart sick.

**Hon. Mr. Taylor:** As I pointed out, there are a lot of new daycare places coming on stream.

I'm sorry, I didn't catch the member's remark.

**Mrs. Campbell:** Hope deferred maketh the heart sick.

[4:00]

**Hon. Mr. Taylor:** Thank you very much. I thought you were talking about a faint heart for a moment there, and you had me worried.

No, it's not that. It's a matter of really what we are doing.

**Mr. Philip:** At least she has one.

**Mr. R. S. Smith:** That's how it works.

**Hon. Mr. Taylor:** I hope you are not talking about a heart.

**Mr. R. S. Smith:** I am.

**Mr. McClellan:** The original thin man.

**Hon. Mr. Taylor:** If you are not careful you are going to develop a sense of humour, and that will ruin your whole act.

We are trying and I think we have made great strides. Look at what we've accomplished over a very short period in terms of day care and purchase of daycare services. No doubt we will be getting into other aspects of this. You mentioned children, and when we get to that particular vote we will be dealing with Children's Aid Societies and that type of operation.

**Mrs. Campbell:** Child abuse and all the rest of it.

**Mr. Acting Chairman (Spence):** The hon. member for Windsor-Walkerville.

**Mr. McClellan:** I thought we were rotating. Didn't we agree to rotate?

**Mr. Acting Chairman (Spence):** I understood that you were next. The member for Bellwoods.

**Mr. B. Newman:** Mr. Chairman, are we alternating then? I would suggest that we alternate, Mr. Chairman, to be fair.

**Mr. Acting Chairman (Spence):** And then the hon. member for Windsor-Walkerville.

**Mr. R. S. Smith:** Okay, you go ahead.

**Mr. B. Newman:** No, I think we should alternate, Mr. Chairman, to be fair.

**Mr. Acting Chairman (Spence):** All right.

**Ms. Sandeman:** I would like to address myself briefly to the extraordinary confusion that attends the group homes situation in this province at the moment. There are group homes specifically for young people and teenagers in particular.

I have tried hard to make some sense out of the jurisdictional muddle and the funding



muddle for group homes. As I understand it, each part of the group homes system at the moment has its own problems, some of them directly under this ministry and some not.

The Children's Institutions Act, for instance, gives permission for larger institutions to operate under charitable funding, and with subsidies up to 80 per cent from the province for some of the young people in them.

I understand that there are problems right now because this funding is in effect frozen for the rest of this year. The ministry announced that if there were, for instance, eight out of 12 children under the Children's Institution Act at the beginning of the year funded by provincial funding, that would be the figure that would be funded for the rest of the year. Even if later in the year there might be 10 or 11 children who would need that kind of funding, the money would not come; and the group homes would be in considerable difficulty.

The Children's Boarding Homes Act covers the situation where you have over five unrelated children up to the age of 18 years living in one home. Many of those children are there as wards of the Children's Aid Society. If they have the misfortune, however, to become in need of the care of a group home after their 16th birthday, they exist in some kind of limbo because the Child Welfare Act doesn't cover them. It's a real struggle for the group homes to find funding for them.

Then you have many privately operated registered group homes, usually based on an anti-institutional theory of child care. Many of those group homes have only two, three or four children, and they get their funding wherever and however they can. There is complete confusion as to which children end up in which kind of group home under which ministry.

The Ministry of Correctional Services can send children to group homes. The Ministry of Correctional Services is also funding group homes with no legislative sanction, as far as I can see. It seems to me very odd that the Ministry of Correctional Services is able to expand its group homes service at a time when, under Community and Social Services, several of its group homes across the province are under threat of closure because of restraints on funding. The Ministry of Health, of course, is funding treatment centres. The Children's Aid Society, under the Child Welfare Act, is placing children in homes.

I guess the real problem is that group homes in Ontario have no legislative reality as an entity. I can't count how many pieces of legislation have some bearing on group homes,

There's a constant conflict between the municipalities and the various ministries about who shall fund these children, how they shall be funded who shall bear the brunt of increasing costs.

We have constant problems about zoning of group homes. For instance, in Metro I understand that group homes can't be in an R1 area, which would be the natural place that one would expect to find a family home. They can only be placed in R4 zoning areas. There are no unified criteria guiding the physical location of group homes. There are constant jurisdictional hassles as to who should pay, where should the homes be, who should the homes be accountable to.

The problem is that we're not just talking about institutions, either small or large. We are talking about young people who have already considerable problems living in these homes, who find that their existence in them is very often precarious because the various levels of government, and your ministry, are hassling over the money, the geographical location, legislation, bylaws and so on.

I think at the moment one thing we're seeing is that the straitjacket on provincial funding is adding fuel to the provincial-municipal conflict over funding. Group homes, which are under direct contract to ministries, seem to be on surer footing—for instance, the Viking 2 programme under Correctional Services. But the privately run group homes have some real problems, particularly when you have, as you very often do have, highly motivated, highly ethical, highly skilled, child-care people running group homes who may not be such excellent businessmen, but who, in the past, have attempted to operate as thriftily as possible. In some cases I know of, they've managed on a per diem of \$20 or \$21 a day.

Their costs are skyrocketing—their fuel, their hydro, the food for the children. All the things that children need these days are getting more and more expensive and they would like, of course, to increase the daily rate to a reasonable basis. Particularly if they have staff to pay. They are very conscious that funding or salaries, for staffing group homes, traditionally has been very low. They are conscious that to encourage good staff they must pay good salaries, and yet when they try to increase the per diem from \$20 a day, they find they are restricted to a 5.5 per cent increase. This gives them, I think, just a little under \$22 a day, which is a ridiculous amount in this day and age to try to run an excellent group home.



Again, I think the children suffer as they do in all situations where their parents, or the adults who are in charge of them, are under constant pressure and worry about money. The situation in the home always deteriorates. I think it's particularly important, when you have a situation where the children are already under pressure, that the group home parents should be assured of a reasonable funding basis—not so that they may become rich overnight, but so that the children, and the staff working with them, shall have a decent level of living.

I understand your interministerial committee on residential care is still working away, and several members of the House have asked you questions at frequent intervals about the whereabouts of that committee's report. I hope you'll be able to tell us today when that report is to be tabled in this House, and perhaps give us some idea of the kind of material that we shall see in it.

I understand also that consideration is being given to the presentation of a revised Act to come before the Legislature which would in some way incorporate the Children's Institutions Act and the Children's Boarding Homes Act under something which is perhaps to be called the Children's Residential Services Act. That might go some way toward dealing with some of this legislative mish-mash that I was talking about earlier.

Even if we managed to sort out some of the jurisdictional hassles and get rid some of the contradictions and anomalies in the non-system as it presently exists, it doesn't really go very far toward solving the problem as I see it for children who end up in group homes. It seems to me that a very strange thing happens to children at the moment and the disposition of a child in a group home, I think, is made almost entirely according to the agency with which he or she first comes in contact.

You may have a child who has real difficulties in living in his own home. If he is picked up and taken to juvenile court, he will become, as it were, a corrections child and will probably go to a correctional services group home. If the Children's Aid Society is called in to help him or help his family, he will probably go to a group home run by the Children's Aid Society. If a local mental health organization gets involved with the family, he will probably end up in a Ministry of Health group home.

In other words, the decision is made not really on the perceived needs of the child but on the frame of mind of the agency which first comes into contact with him. Children in

all these different homes with all their different philosophies may well have very similar problems. I think until we can, in some sense, rationalize children and not the needs of the agencies providing the services, the children are not always going to be best served by the group homes or wherever they end up.

At the moment, as I say, we have no rational plan for children's services in this province. We have group homes provided by two or three ministries, funding from all over the place, and endless hassles about who does what for whom.

I think with regard to group homes, we need some kind of clear understanding that there's a real gradation of need for children as regards homes that are not their own family homes. It is not so much that there are Ministry of Health children or Ministry of Correctional Services children or Community and Social Services children. They are children with different needs. I think those needs probably are on a gradation from a very secure setting with very sophisticated backup staff and psychiatrists, rehabilitative services, what you will, through to a very loose kind of halfway house, a boarding home setting if you like, for older children—kids who have left school but who still need the anchor of a home to come home to, who are either working or in some kind of training and not living at home and need a safe, secure family. They don't need the kind of sophisticated expensive services that a deeply troubled 10-year-old does or a child who has been battered or a child who has emotional problems.

There's a gradation of need which should be met and which shouldn't really depend on whether or not the child is in court and goes to a correction group home or whether he is with the Children's Aid and goes to a Children's Aid home or whatever. I think we have to recognize too, and maybe the minister already recognizes it, that there's absolutely no guarantee that the more expensive placements for children guarantee a higher success rate.

[4:15]

There are very many dedicated group-home workers who are struggling along on \$20 to \$25 per diem with children whom they are trying to rescue, as it were, from the ill effects of maybe \$100 a day placement. There's, I think, a kind of hidden assumption that the more expensive services are in some sense better for the children serving them and that the simple kind of private group homes somehow can't always do as much for



the children. I think this clearly isn't so; we have to give more attention to supporting the smaller group homes and making sure that, where necessary, they have backup services and recognize that for many children they are doing as good a job as, if not better than a training school at \$75 a day for instance, or a Thistle town at \$120 a day or whatever it may be.

Further, I think we have to clarify what we expect from group homes. I think sometimes our expectations are excessive. We have to clarify for the group home operators just what authority they have—this comes back to what I was saying earlier about the need for tidying up and clarifying the legislation—and we have to clarify the responsibility of group homes toward the children and the families they are serving.

When we look at group homes, I think there are three groups that must be protected in this whole business of operating homes for children. First, obviously, the children; they must be protected from inept or destructive operators of group homes. They must also be protected from inappropriate placement. They must be protected, much more than they are now, from the constant shifting around that goes on with kids: "If one group home doesn't work, try another one." There really has to be a commitment to finding the placement that will suit a child and helping him or her to stay there, because there is nothing more upsetting and destructive for an already unhappy child than to be moved from one home to another.

Secondly, I think the operators have to be protected—that is, if they are giving good service; we've absolutely no reason at all to protect operators who are cheating the children in any way at all, either emotionally or physically. Good operators, giving a high standard of service in group homes, whether they are under a ministry contract or privately operated, must be assured of stability and must be clearly aware of the expectations we lay on them, because if they have no stability, if the children in their homes have no stability and many of them need some guidelines about what we expect them to do with our children.

Thirdly, the taxpayers have to be protected. There is no way that we want to be fleeced by unethical operators, and I think any legislative sanction for setting up group homes has to make quite sure that licences can be withdrawn from group home operators as well as given by the ministry.

To achieve the protection of these three groups, as I said earlier, we have to, first

of all, unify the legislation dealing with group homes. We have to standardize the regulations and rationalize the funding; it probably would be a lot cheaper in the end to get a rational way of providing services for children, and I think your ministry is the obvious place where that should happen. It may have to be an interministerial policy but it needs some firm guidelines—for funding, for zoning and for inspection. If necessary, you also have to be tough with municipalities that are trying to use zoning bylaws to keep group homes out of their areas; you know that goes on, and I think it has to be stopped.

We have to recognize, of course, that the fact that group homes are necessary at all is a reflection of the failure of families and of the failure of society to ensure the ability of families to be cohesive and to deal with their own children in their own homes. Good group homes are an efficient, effective and economic way of replacing the child's own home with a stable, warm and productive environment. We have to remember that in the best of all possible worlds—and I guess we will never get there—we wouldn't need group homes. What we do need is genuine preventive and rehabilitative social policies for families and children.

I think perhaps we have to wean ourselves away from too easily falling into the trap of saying, we've got a lot of troubled kids and a lot of troubled families, let's set up more group homes. It seems to me that with preventive and rehabilitative work with the families and kids in trouble we could, very often, prevent the necessity for removing the children from their home.

The Ministry of Correctional Services is beginning to try to do this with its diversionary procedures. They are trying to ensure that they don't have to send so many kids to training schools. Maybe we could look for diversionary procedures for emotionally disturbed children or families that seem to be cracking up.

I think my colleague from Bellwoods described an interesting and very effective, helpful programme for single mothers bringing up their children alone. The social job programme which he described, I think, could go a long way towards providing economic and emotional stability, for mothers alone with their children. It would make it unnecessary for those kids to end up in group homes.

In many families the divisive factor is financial worries. Obviously credit counsel-



ling, getting people back to work, getting the economy moving, might well prevent the necessity for children ending up in group homes. I know it's not your business, Mr. Minister, to single-handedly provide jobs for all the unemployed. However, I think it is your business to speak to your colleagues in other ministries about the necessity for good preventive services such as birth control. Some families crack up under the pressure of just too many kids in the home with too little money.

Family counselling of all kinds, really tough family counselling—not just going a couple of times to the family counsellor's office to see what you can talk about—is important. If necessary, somebody should live with the family and help them for as long as it's necessary. This may well prevent the necessity for putting kids in group homes.

Most preventive services, I think, are less expensive to deliver than any kind of institutional service, however small it may be, but they're invaluable in human terms. They save us millions of dollars in the long run. I hope your ministry will look at the whole gamut of services to children and to families in terms of prevention and then recognize, of course, that there are some families, some situations, that cannot be saved.

It's better for the child to be taken out of the home in as few cases as possible. When that does happen, we must have services for children that meet the needs of the children and not the need of some bureaucratic system which has been set up by a ministry, an agency or whatever it may be.

I would hope that today you can give us some of the preliminary thinking of your interministerial group that is thinking about group homes and give me some assurance that we are going to have a rationalization of services for kids who can't live in their own homes.

**Mr. Deputy Chairman:** Before the Chair recognizes the hon. member for Windsor-Walkerville—

**Mr. B. Newman:** Mr. Chairman, I thought the purpose of the debate was to share the time fairly equally.

**Mr. Deputy Chairman:** The Chair was just going to comment for the benefit of the hon. member and of the committee that it is my understanding there has been some consultation and agreement between the House leaders to try to divide the time on an equitable basis. I would just draw to the member's attention that we could more or

less support the concurrence of the House leaders in this case.

The hon. member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, I—

**Mr. Deputy Chairman:** Just a moment, I think the hon. minister wants to respond to something previous.

**Mr. B. Newman:** I'll let the minister reply.

**Hon. Mr. Taylor:** If I may just make some short reply, Mr. Chairman, notwithstanding the division of time, I may say I've been very interested in what the member for Peterborough said. I think she obviously has a real feel and knowledge in this area which I appreciate very much.

The comment that we have to make sure that we look after the child and not the agency as the paramount consideration, I think, is most important. Sometimes we lose sight of that. We lose sight of the substance in developing the form. I think that's important; the feeling, if I am not mistaken, that we have to ensure that we put a child in a more normal setting. The de-institutionalization of very structured agencies or institutions wherein we are trying, presumably, to reform the person or make that person more adaptable to the community to solve all of the problems, of course, is the trend in terms of Correctional Services. It is to close down the training schools as much as possible.

There will always be a need, I am sure, for some type of institution, no matter what it is, but certainly that's the thrust of the Ministry of Correctional Services in terms of its programme for more group homes. I am glad to see that. Whether we talk about the elderly or children, the mentally retarded or whoever it is, it's a matter of developing community-based settings as much as possible in which we are going to integrate and normalize that person into the main stream of the community.

That's often difficult and it is difficult as it is reflected in zoning. You have raised the question of zoning and municipal controls. There is some fear, some concern, on the part of municipalities and land use planners that we should not see this mix and when you talk of group homes, it's all types of group homes—I am talking about the broad spectrum of group homes. I know it is a very difficult matter and one which we have tackled. As a matter of fact, as I mentioned earlier in the House—it might have been a month or two ago, I'm not sure, in re-

sponse to a question from your leader—we have attempted to develop a zoning by-law which could accommodate group homes in a community and, hopefully, permit this type of development without causing a division or upset in the community or at the planning level.

These are local problems and I agree we must be firm and hopefully show some leadership in this area. When we look at children's services in regard to residential care, may I correct the member for Peterborough? It is not my committee; it is the interministerial committee which has reported to the Provincial Secretary for Social Development, whom you will have the pleasure of addressing or interrogating a little later today.

That report has been made. I am very involved in many of the aspects of the report and as I mentioned some time ago, again in response to a question in the House, we have drafted a combination of the Children's Institutions Act and the Children's Boarding Homes Act, in order to rationalize the field of residential care for children. Hopefully, it will be a Children's Residential Care Act or some such piece of legislation which will address the problems you've raised and deal with them in a very sensible and sensitive way.

**Mr. McClellan:** How soon can we expect that? Do you have a time limit?

**Hon. Mr. Taylor:** I am hoping we will be able to bring that in in the fall because I would like to see things happen. Rather than talk about it, let's try it; let's do something. That is an area I am dealing with now.

In terms of rates, again, I can only agree. I think much of what the member has said is absolutely correct. It makes good sense. Rates don't necessarily mean you are going to get better care because you spend more money.

[4:30]

In our Boarding Homes Act, for example, I think the average rate in Ontario is about \$27.50 a day. In the Children's Institutions Act, it's about \$26 a day, at the average. If you look at residential rates, they vary. You mentioned from \$20 probably to—I don't know—\$60. Maybe it's a little less, maybe \$45, if we're talking about Viking 1, for example. I think it's in the \$45 range, category. When you get into more institutional type of care, of course you're into the higher sums that you mentioned.

I'm convinced also, that it's not just a question of the amount of money in these matters. So I can only agree that what you have said, I think, makes a lot of sense. We have to concentrate on the people we're trying to help. Sometimes that involves maybe upsetting some agencies but, so be it. I'm also happy, incidentally, to hear that you don't necessarily have to have great expectations. Sometimes we do expect more than we can accomplish. While we must, I suppose, aim high, nevertheless what we must do is our very best to accommodate the people we have who are in need and the people we can help. So I just want to say, I appreciated those comments.

**Mr. B. Newman:** Mr. Chairman, I hope that, rather than alternate speakers, you share the time alike between the two opposition parties because the party to our right certainly hasn't played fair as far as the time allocation is concerned. Because of the time being so short, I intend to curtail my remarks.

Mr. Chairman, there isn't one of us on this side of the House, who isn't concerned with the provision of daycare services. In my own community we're just as concerned as they are in any other community. We know that because of the minister's cut-backs, the charges for the daycare services have had to be increased and, as a result, those that really need the services are the ones that find themselves disadvantaged to a greater extent and can't afford the services.

The fact that you had the young ladies demonstrating here this afternoon in the Speaker's gallery indicates the great concern of those who provide the services and who know the need for the services. Their demonstration showed to us—

**Mr. McNeil:** Do you really believe that, Bernie?

**Mr. B. Newman:** —that we have been possibly a little lax or a little slow in the provision of services to those who really need them.

I wanted only to make one suggestion to the minister, and I'm talking on this vote—the social services vote—because of not the proliferation, but the large numbers of agencies in a given municipality that provide various types of social services to the residents of that municipality, and a suggestion that they happened to make. They've suggested that there only be two emergency numbers in a telephone book, and one be



for fire and police and the other be for social needs and social assistance, and that that agency, for social assistance, should be funded completely by your department so that the individual who is distraught and calls because of some type of social problem knows where to go and which agency to contact.

In my own community you do happen to have an information services, but it does not operate around the clock and people in need could need the assistance of an agency at all hours of the day. You have only the two numbers. You fund it so that the individual who needs those services can be directed from that number, to call the agency from which he or she can obtain those services. I think it makes good sense when you have 40 different agencies in a community. If a person has a problem, there's no way of getting hold of any one of the 40 agencies. They wouldn't know which agency to turn to. But if there was simply the one number for social help in a community, in calling that number the individual could be directed to the agency that could be of maximum assistance to the person calling. I only put that suggestion out. I am curtailing my remarks, Mr. Minister, so that our critic, the member for Nipissing will have a chance to speak at greater length.

**Hon. Mr. Taylor:** Mr. Chairman, that suggestion may make a lot of sense. I am not denying that, and when I get the calls in the middle of the night as minister, I just refer them to your riding office and to you and I hope that they are looked after from there.

**Mr. B. Newman:** Not all of them come to my riding office. We know what to do with them when they come to my riding office. But not everyone calls my riding office. They call the police. They call the fire—

**Hon. Mr. Taylor:** Well, that may be a good sign. I don't know. Maybe things are looking up in Windsor-Walkerville. But seriously—

**Mr. B. Newman:** They have always been looking very well, Mr. Minister. The constituents have always been well taken care of.

**Hon. Mr. Taylor:** You keep telling me that and I have no reason to believe otherwise because you are a very convincing gentleman. But if you are talking about a sort of information centre, or somewhere where a person could phone, and I suppose they call them information and referral, that's something I suppose could be done at the munic-

ipal level. We could subsidize that as a part of their administrative costs. There is one approach that might be taken.

I think that we have to ensure that we have generalists in the field who can understand the gambit of social services. You mentioned about 40 agencies and it's difficult. Even with the agencies that we do have, if you go to one they may not know where to refer someone else. Instead of the degree of specialization it may be that we need a breed of person who is able to have the overview and the generalist approach and be of some help himself, in terms of that particular person and know where to go if he can't provide the narrow or the more technical information.

I can see that. As a matter of fact, it may be an aspect of the situation we are dealing with in terms of social service centres. We have several in Ontario where we are trying to effect an integration into a single-thought situation where a person can have the information that he requires—not only the information but the assistance that he requires—in one spot instead of getting on the bureaucratic merry-go-round and suffering the aggravation of that and probably not getting the kind of help that he wants. It is something I am pursuing now.

As a matter of fact in York South, I guess it is, there's a centre that the member is very interested in and which we have been looking at. I propose to see that that is funded for an additional period of time to see what can come out of that.

There's a rural situation in Frontenac-Addington, another area that is serviced by a centre where you have the medical as well as the social service element implicit in the centre. I think that we can do more in this field. I think we have to really make an appraisal of that system.

When you talk about the number of agencies, we are going to have to get to the agencies and make sure that as the member for Peterborough said, we don't get lost in the interest of the agency as opposed to the interest of the individual and maybe work together more co-operatively to solve the problems of the individual in terms of a collective social service agency. I think the concept and concern that you have is understood by me.

I would be happy to pursue the information type and referral type of centres that you mentioned. It's really, I suppose, a 24-hour service that you're talking about—to tide someone over regardless of whether it's day



or night. I appreciate your comments and concern.

**Mr. B. Newman:** Mr. Chairman, to the minister, it's extremely difficult at times to get the individual you want in one of the ministries of government. You'll start with the minister's level and you'll go right down the ladder sometimes, and make six or seven phone calls before you get the individual. We who know a little about the operation of government have that difficulty. Think of the person who is distraught and needs assistance and sometimes needs it immediately. There's got to be a better way.

Just as you made mention toward the end of your comments, I hope that you give it serious consideration. If necessary, I hope you would set up a pilot programme in some community so that we could develop a system where the individual could at least get immediate attention.

**Hon. Mr. Taylor:** Mr. Chairman, I mentioned the need for a generalist. You can appreciate if you're trying to get someone on that merry-go-round to 40 agencies who are probably closed—you'll never get them to stay open 24 hours a day—at least it's not likely that you would. You'd need someone there that had a general overview and experience. It may be that the local welfare office might be the agency that could be open. It could be run through the municipality and subsidized through the administrative costs.

**Mr. R. S. Smith:** This vote is now 10 minutes past the agreed time but I do have a few comments that I want to make in regard to the Children's Aid Society which haven't been dealt with at all. If we pass it now there will be no further dealings with it.

I understand the minister has now made it quite clear by letter to one of the members that he is not interested in carrying on the give-and-take that started last year about this time with his predecessor, in regard to protection and preventive services that could be provided under the same Act as the Children's Aid Society. In fact, one section of that Act already provides for the service, but the implementation and financing of that service is really in question.

I understand from the member for Sudbury East that he now has a letter from you that there will be no further discussions in that regard. I think that that is a real dereliction of your duty. It obviously shows that there just isn't the interest in this government in

preventative services. Without them, you're going to fall more and more behind.

In fact, with the restrictions of 5.5 per cent, or whichever you agree to with individual Children's Aid Societies, put alongside your decision not even to discuss some type of supplement to preventative services, it becomes more apparent that these children who do come under the Children's Aid Societies and the families who require service from those societies are going to be denied the specific services they require. We're going to have more children come into care. The cost is going to be greater both in terms of dollars and cents, which seems to be the guiding feature insofar as your ministry is concerned, and in terms of the lives of these young people, which is of more particular concern, as far as I'm concerned.

The other comment I'd like to make in regard to Children's Aid Societies is this. The other day I indicated that 15 of the 50 Children's Aid Societies have had their submissions for funding for this year approved as submitted; 19 additional have the ministry approval; four are expected to be appealed; while nine are still being negotiated and three are outstanding. They are now halfway through their fiscal year. I'd like you to tell me in as few words as possible how these Children's Aid Societies are to operate for six months in the dark as to what they can spend—perhaps for another three months in some cases, if your process carries on into August or September, before they find out what their budget is, starting last January. Thus, it becomes very difficult. I would specifically like to ask you what the position is now in regard to the Thunder Bay Children's Aid Society and when some resolution of that one can be expected.

[4:45]

I had a number of other comments I wished to make in regard to Children's Aid Societies, but I do dispute the remark that you made the other day, and which I pointed out to you was incorrect by quoting to you a statement you had made previously, that your first position was they would be at 5.5 per cent; there would be nothing more and nothing less and that was it. You changed your position on that. I congratulate you for changing your position, but I wish you would admit that you made a change, because it was obvious that you did make a change.

The only other thing I can comment on under this vote, in view of the limited time restriction, is the question of increases for



the senior citizens in our province insofar as the operational costs of their centres are concerned. Here we have a case where even the 5.5 per cent doesn't apply; there is no increase, but rather a strict freeze of \$15,000 at the maximum, as I understand it. I don't know how you expect them to do that in light of the inflationary trends and in light of what you said about not cutting back in services, that with the 5.5 per cent or the eight per cent you are allowing, you are keeping the same service as you had last year. But in the particular instance I am talking about there is no increase whatsoever; therefore, to use your own words, we can look for a decrease in service.

The other thing I would like to question again is how you come to 10 per cent or more for the operations of your ministry, eight per cent or 7.5 per cent for the operations of municipal government in this area, and then 5.5 per cent for all the other agencies, including Children's Aid Societies and many others, and no percentage increase for some, such as community centres for the aged. I can't rationalize that; it's very difficult for me. When I add things up they all come to the same thing if I use all the same figures, but apparently that doesn't apply within this ministry. If you can answer those few questions for me quickly, we could get on to the next vote.

**Hon. Mr. Taylor:** Mr. Chairman, dealing with the Children's Aid Societies, certainly I made it fairly plain during January and February that it would be necessary to set guidelines in terms of an overall percentage increase, which was set at 5.5 per cent. Those were the guidelines that I thought should be followed; at the same time I made mention of the fact that there were some areas of concern to me.

**Mr. R. S. Smith:** You didn't mention them.

**Hon. Mr. Taylor:** I mentioned them in a lot of places in January and February when I travelled throughout Ontario, because I was very mindful of the fact—

**Mr. R. S. Smith:** I listened intently and you didn't say a word about them.

**Hon. Mr. Taylor:** Well, maybe not when you were in North Bay—

**Mr. R. S. Smith:** I was there all the time.

**Hon. Mr. Taylor:** I thought you were there—at least you were there in form, if nothing else—and I appreciate your comments and your concern.

**Mr. R. S. Smith:** I was there in mind; you were there in matter.

**Hon. Mr. Taylor:** No matter, never mind, eh?

**Mr. Nixon:** The question is, you didn't say what you said in North Bay.

**Hon. Mr. Taylor:** In any event, what I did say throughout Ontario was that I was most mindful of the impact of the repeal of section 8 of the Training Schools Act and the additional physical and financial burden that was in fact being transferred—to municipalities and Children's Aid Societies. It was in that area of concern that I did address the problem at the cabinet level and did obtain additional funding. There was, as is reflected in the budget and as I mentioned in my introductory remarks, some \$3.2 million that has been used to address these particular areas of concern.

If you look at the 50 Children's Aid Societies, actually 24 have been settled or approved as such. In other words, there wasn't a dispute in regards to those. There were another 20 that weren't completely happy with my recommendation, and again I am putting it as nicely as I can.

**Mr. Warner:** That is a nice way to put it.

**Hon. Mr. Taylor:** They thought that maybe they should have additional funds. In any event, as you know, the municipality must approve these before I can give my final approval. Don't for a moment think that the municipalities aren't concerned in terms of their share, which is 20 per cent of CAS budgets, because we had several appeals from municipalities whose interest really was an interest of the taxpayer in terms of saving moneys on the municipal budget. So, we had that situation.

We also had some that held at the 5.5 per cent increase. We have, as I mentioned, about four appeals.

I think it is important to put a little perspective on this. In 1965 we had a new Child Welfare Act, and prior to that the funding was 40 per cent at the provincial level and 60 per cent at the municipal level. That changed to 60 per cent by the province and 40 per cent at the municipal—so there was reversal of that. It wasn't until January of 1975 that we introduced the present funding of 80 per cent at the provincial level and 20 per cent financed by the municipalities.

So, you can see the additional funding that has come through the province to the Children's Aid Societies over a short period of time. If you look at the escalating costs in

overall terms, you will see that a year ago the average increase across Ontario for budgets was 23 per cent. Some were higher and some were lower, but that was additional spending.

There is a need, I think, to settle out as much as possible the ever-escalating costs of running Children's Aid Societies.

Again, it is not a question of how much money you spend. If you look at the figures last year you will see that more staff was taken on by Children's Aid Societies in Ontario and additional children coming into care. So, it is not just a question of spending.

I may say that the overall average, with the additional funding, works out to 7.6 per cent. In regard to direct childcare costs, it is probably about 10 per cent additional—because I address myself to that area of direct child care costs.

As you know, the budgets of the Children's Aid Societies are divided into three parts. Part one deals with direct child care costs and concern me, because I wanted to ensure—in accordance with an undertaking that I gave around this province—that no child in true need was going to suffer because of the constraint programme. And I am living up to that undertaking. It may be that additional costs will be incurred as we experience a further transfer of children from training schools to Children's Aid Societies. I have said to the Children's Aid Societies that I am prepared to monitor their experience in this regard. If there is some extraordinary costs involved because of, for example, the repeal of section 8, then I'll address myself to that problem. No matter how much money you put on the table, it'll be consumed. I think we have to ensure that—

**Mr. R. S. Smith:** That is a gratuitous statement.

**Hon. Mr. Taylor:** It may be gratuitous, but there's no end to ways of spending money. I think we have to ensure that the money is spent in the best interests of the people we're trying to help. That was the very point made by the member for Peterborough when she said we have to be concerned about the interests of the child, as opposed to the interests of the agency. I think that's important.

**Mr. R. S. Smith:** You can't do it under your present group homes set-up.

**Hon. Mr. Taylor:** I would like to respond to the question of another committee. I'm familiar with the one you mentioned be-

cause the member for Sudbury East mentioned it to me earlier. There was some correspondence on it.

I'm not convinced of the need for another committee. We have a committee on child abuse. We have the inter-ministerial committee on residential care that has reported and does touch on some ways in terms of prevention, if you're talking prevention. We have other committees. There's one on emotional problems, I believe, of children that is an interministerial committee. I don't think we necessarily solve the very real live problems of children by setting up some other committee.

I hope to be able to address those problems as directly, and as quickly, as possible within the structure we have. I want to make mention of that fact because you seem to be somewhat disappointed in the fact that no committee had been set up.

Now, if there are any other points that I have missed, I'd be happy to address myself to them.

**Mr. McClellan:** I had just one quick question on the Children's Aid, and I think we can move on to the next vote. First, the comment that we had asked your executive assistant for the disposition of the budget for the Children's Aid Societies some time ago. Despite promises of delivery we haven't received them. That makes it very difficult. I gather there are a substantial number that haven't settled. Fifteen have settled within the guidelines.

My question is, what happens to the societies that have settled for less than they may turn out to need realistically? There are no provisions, as I understand it, for supplementary budgeting. That is to say, the municipalities can't deal with a supplementary budget. I hope you're not taking the position that people who have settled at 5.5 per cent and then find it impossible because of increased workload, or for whatever reasons to live on that, are not going to be subjected to a deduction from their 1977 budget.

How are you going to handle the issue of supplementary budgeting for people who settled below what they need? Secondly, how soon are we going to get a complete settlement? You're bound by the Child Welfare Act to deal with this budget process by a certain date. You're continually in violation of the Act. You're in violation again this year. How much longer are we going to have to wait for a complete settlement of the CAS budget?



**Hon. Mr. Taylor:** Mr. Chairman, may I say I have personally addressed myself to each of the budgets. The ministry has made its submission to the Children's Aid Societies. I cannot unilaterally say, "Here, this is your budget." In the budgeting process, as you may know, there's a submission from the CAS—

**Mr. McClellan:** I understand that.

[5:00]

**Hon. Mr. Taylor:** I cannot give final approval until the municipality has approved it. I have written to all of the Children's Aid Societies making my submission in terms of the amount I am suggesting for their budget. If the municipality agrees, of course, I would approve it at that amount. I am doing the best I can to finalize those budgets. There are some Children's Aid Societies which have not agreed to the amounts suggested. Last week, as a matter of fact, I met one of the larger ones which was concerned in terms of obtaining additional funding to what was suggested.

I can't do anything more than that. If they won't agree, and the municipality doesn't agree, I can't give final approval.

**Mr. McClellan:** What about the issue of a supplementary budget? If an agency whose settlement is 5.5 per cent, finds it can't live on it, what are you going to do? Fifteen have settled at the guideline. In the case of one of those which has settled but can't live with the guideline—others are getting 10 per cent to 15 per cent increases—what is going to happen?

**Hon. Mr. Taylor:** Very briefly on that. When I went around this province and stated what the guidelines were, I wanted to make sure that those which did their very level best to comply with the guidelines and did comply with the guidelines would not be penalized because of others which exerted pressures and enjoyed additional money. It was for that reason that I examined closely—

**Mr. Warner:** Those were not legitimate.

**Hon. Mr. Taylor:** —all the Children's Aid Societies, even those which came in at 5.5 per cent. If it looked to me that in the area of direct child care costs it was not realistic. I wanted to make sure that the budgetary figure was realistic. I want to repeat myself—

**Mr. R. S. Smith:** Don't repeat yourself.

**Hon. Mr. Taylor:** —I am monitoring some of these and if there are legitimate costs

which are incurred, say, in this area and supplementary budgets are submitted, I will deal with those as well.

**Mr. Warner:** Are you suggesting the others weren't legitimate?

**Mr. R. S. Smith:** I had one question in my previous remarks on this which you didn't answer. That's in regard to approvals of the Children's Aid Society budgets, and the specific one I asked you about was Thunder Bay. Could you give me a short concise answer?

**Hon. Mr. Taylor:** Thunder Bay?

**Mr. R. S. Smith:** Yes.

**Hon. Mr. Taylor:** Sure. It is one of those which is presently under negotiation. The percentage increase recommended is 12.3 per cent.

**Mr. R. S. Smith:** That is your last position?

**Hon. Mr. Taylor:** Yes. I have a tabulation of what my submissions to the various societies were after examining their budgets very carefully. I came up with that increase there and again I zeroed in on the direct childcare costs, an increase of 12.3 per cent.

**Mr. R. S. Smith:** It is set, is it?

**Hon. Mr. Taylor:** It is in their hands now. Vote 2702 agreed to.

On vote 2703:

**Mr. McClellan:** I don't intend to take up a great chunk of time on mental retardation. I am committed to trying to equalize the time even though we have no run over and I expect that will be possible.

I do want to deal with a concern I raised in the question period last week with respect to the Kenora Association for the Mentally Retarded. I don't want to dwell on that particular association because I understand that the ministry has been in touch and that some progress has been made in working out their budget, although the latest word I had is they still have had no definite decision with respect to the workshop.

The dilemma of the Kenora Association for the Mentally Retarded illustrates very clearly a potentially disastrous course that the ministry may be on. The minister runs around the province with a lot of rhetoric about the importance of the voluntary sector or the private sector or the non-governmental sector. Let me tell you something; I worked in that

sector for a good many years and I know it very well. I know just how difficult it is for volunteers, like the volunteers in associations for the mentally retarded, to run programmes to provide services when government fiddles around, and delays and procrastinates and gives contradictory policy assertions and changes its funding criteria and changes its administrative procedures with staggering regularity.

The blight of the voluntary sector, quite frankly, is having to deal with the vagaries of government administration and government funding policies. More good voluntary services have gone belly-up because of that than probably any other thing that I know of. From the evidence that I have, meagre as it is and limited to a few societies, there are sufficient grounds to give me real concern that you may be heading in the same direction.

If you cannot set up administrative procedures to help local associations to develop this programme, get a package or programme together and then get the thing vetted through quickly. Your whole community-based programme for the mentally retarded is in jeopardy. The whole community living programme is in jeopardy. You simply have to be able to move more quickly than you did in the case of Kenora. It's simply not going to work to expect the voluntary associations to put together a plan in September or October or November, and then in—where are we now, in June—the following June, still have no decision around a programme that was supposed to start in March or April. That's a recipe for disaster. That's a recipe to kill the whole community living programme if you allow that kind of thing to continue.

You have to be able to decentralize. You have to be able to give your field people more authority than they seem to have. You can't be second-guessing the decisions of the district working group which arrives at a plan in January only to find the ministry rerouting parts of it and changing decisions in May, June and on down the line.

Mr. Minister, if you do that, the community living programme is in real jeopardy and I'm impressed enough with the speedy response to the Kenora situation that I'm optimistic that you won't allow that to happen. It could happen very easily in a ministry as cumbersome as yours and as unaccustomed to dealing quickly with community groups in the community-based services.

I really hope the Kenora situation will give you pause and that if you have problems

around your vetting period for the proposals of the district working groups, that you really pay some attention to that and make sure that the process is speeded up and that it operates as quickly and as close to the grass-roots level as is possible. Don't start rerouting parts through the district office and parts through the mental retardation branch because that too is a recipe for disaster.

We're very committed to seeing the community-living concept work in this party. We think it is a good programme; it's a good concept. I say we probably couldn't design a better programme ourselves in terms of the concepts as a model for services for the mentally retarded. It's excellent. Our concern is that you don't, frankly, screw it up—that you don't, on the one hand, allow situations like Huronia to get out of control and on the other hand that you don't, through your ministry's traditional failure to deal as equals and as partners with the social service community, compromise and eliminate the ability of the associations and the district working groups to develop real programmes. That's basically the main point I wanted to make.

I want very quickly to express real sorrow that you have imposed means testing on daycare services for the mentally retarded. I share the view of the association. That operates as a deterrent to families with mentally retarded kids. The effect will be remove daycare services from some retarded kids. That means the effects of the retardation will be worsened as will be institutional costs in future years. The additional costs would have been unnecessary had they been allowed to enter the daycare programme in the same way that the Ministry of Education provides free services to children who are deaf. You should be doing the same thing. Your policy should be lined up with that of the Ministry of Education.

I will leave it at that for now. I will see how the time goes. I have a number of other areas I could raise, one being my utter bewilderment which is shared by the association and everybody I have talked to about what a community resource centre is. Nobody seems to know.

Let's leave that, though. If you could deal with the rest of the issues I have raised, then we should perhaps come back to the question of an operational definition of a community resource centre, or a resource centre's programme.

**Hon. Mr. Taylor:** Mr. Chairman, the problem in connection with the whole field of mental retardation, as you know, is really a



two-way flow or understanding—the community on the one side and the residence of people we are trying to help on the other. I agree, and I am glad the member agrees, with the philosophy we are practising in terms of the institutionalization and normalization use of the generic services by these mental retarded in the community.

Again, there is a responsibility on your part as well to make sure that we engender a spirit of goodwill in the community, so that we don't raise apprehensions and misconceptions in regard to the mentally retarded so that they in fact retard our programme to develop more community-based settings, whether they be group homes, workshops, sheltered workshops, or what have you.

I am again delighted you are happy with the progress in connection with Kenora. I take that as a compliment. Now and then you exhibit an overwhelming gesture of generosity. I am going to accept that in the spirit in which it is given. I appreciate the swiftness with which we acted to right that situation. There has been some slowness in processing applications. I was very mindful of that.

When the question came up in the House, I made reference to the fact there was an internal reorganization that had been made fairly recently to accommodate in one section the whole field of work shops rather than the split jurisdiction to expedite the applications.

[5:15]

Kenora was only one. Others have been mentioned. I may say that as recently as today, a dozen letters have gone out manifesting approval, in principle, of different work shops. I am anxious now that we have the moneys in the budget to get on with the work. Let's see what we can do in this whole field. We have a lot of good people. I know of your experience in the ministry, but I must say things have speeded up since you left—not because you left; don't get me wrong, I don't want a misrepresentation of that—but in the interlude, from your adventures in my ministry to now, we have streamlined and expedited the processing of applications. With the recent changes, I think you're going to see some real effects in the field, that's what I'm interested in, seeing that, on the ground, we have the type of thing we've been talking about. We have the resources in the budget to do it and you can rest assured that we're going to proceed expeditiously in that connection.

I won't get into resource centres and district working groups. I could do. I would

like to give you my interpretation of a resource centre because I think it's a good concept and I think it's a concept that has been well-received by district working groups throughout Ontario. Contrary to some remarks that might have been made at provincial association meetings or a meeting—and I say that singularly or plurally—really, individually, I think that associations for the mentally retarded are committed not only to the district working groups in that overall community involvement, but also to the concept of the resource centre for the retarded, where the type of programming, the type of analyses, the diagnostic services, the assessment of individuals and that type of thing, can develop. We see specialized treatment for people who are very individual in their needs and their circumstances and I think you're going to see, in the not too distant future, great strides made because of the development of these concepts.

**Mr. R. S. Smith:** Mr. Chairman, I have a number of things I'd like to bring to the minister's attention in regard to this vote. Perhaps I should start out by indicating to him that this party supports the promises and commitments that have been made by your ministry over the years, insofar as the so-called policy of normalizations of living of the mentally retarded, and their movement back out into the community from the large institutions, and even their division in the large institutions, have taken place over the past three or four years.

I can recall in my own community that five years ago we had a psychiatric hospital where there was no division made between those people who were mentally retarded and those people who were psychiatric in nature. Of course, they had about 800 or 900 people stuffed into an institution that should have held about 600 and they had three or four, I think, practising psychiatrists to look after those 800-and-some people. So they were all treated the same. They were all, more or less, held in retention and held under drug treatment, rather than any other type of treatment that might have provided any success at all in bringing them back to the community and providing them, at least, with the opportunity to live a somewhat normal life, according to their ability.

This, I believe, was the case right across this province for a good length of time. Not only were those people who had psychiatric problems treated in that way, but mixed in with them were the mentally retarded, many of whom at a very young age entered those institutions and never came out. If they had



been given the opportunity, and the training necessary, they could have taken their place, perhaps not fully, in society but in some cases very close to it. I agree, and this party certainly supports, the programme of moving the mentally retarded with special training out into the community, into a great number of varied types of homes, so has been recommended by interministerial task forces.

Your ministry states that it is "making available to all mentally retarded people patterns of life and conditions of every-day living which are as close as possible to the regular circumstances and ways of life of our society." That, I believe, is to be a worthwhile goal. I should hope your ministry—and particularly yourself and Mr. Gordon, the assistant deputy minister—are intent on achieving that goal. It is of significant importance if the change from Health to Community and Social Services is really to mean anything in regard to the people we are talking about.

So the issue in mental retardation today is whether the government intends to stick to its promises and its commitments and I believe I have outlined those. The key target is normalization in community living for the mentally retarded and we will question you later on as to how far you have come in this regard insofar as the goals that have been set within your own ministry and by your outside consultants.

One point that should be raised, however, is the question of the events that have occurred at some institutions, and I refer particularly to some of the instances at Orillia.

By not responding properly when it appeared that a problem existed at Orillia, I believe that the government has seriously undermined the normalization programme and the entire idea of community living for the retarded. Certainly it has in that community.

We are happy to see an investigative body appointed at Orillia to report on some of the difficulties that have arisen there. This will help allay the fears of the community as to the intent and progress that has taken place within the programmes that your ministry has outlined.

It has been insinuated and said that a great many mentally retarded people have serious psychiatric problems as well. It would be helpful for the public to know how many mentally retarded people really do have serious psychiatric problems. I believe that you will find that perhaps four or five or six per cent have these problems.

The percentage of mentally retarded people who have serious psychiatric problems will

not be any greater if and when you release the facts and figures that I know are in your hands now. I don't believe the percentage will be much different than in the general scope of people right across this province.

I believe that the mentally retarded, so far as that type of overlay is concerned, are no different from the average person on the street. They may or may not have that type of psychotic problem on the same percentage basis that you or I or anyone else walking around may suffer from at one time or another, or are continually suffering from that type of psychotic condition. I believe the same applies to sexual problems, and the questions that come up in that area in that the mentally retarded are not different from the average person in that regard.

You have done studies and I have asked you for a copy of those studies. They were done not by your ministry but outside the ministry. I wrote you a letter some time ago—just a second I'll find it here—in regards to this specific. These are some of the things that we wanted to know but to which we didn't get the answers.

Some time ago you commissioned a study—a service needs analysis of the mentally retarded in the different institutions and those that were in the community across the province. Included in that study was a great long list, and a number of questions the answers to which I believe should be available to us and to the public. I think it would answer some of those significant points such as I just brought up—in regards to their tendency towards sexual or psychotic problems in comparison with the general public.

I think it's very important if you are to make your programme work in the community that you give this type of information to the public so that they realize these people basically are no different from the neighbour next door, because you are placing them in the community as a neighbour next door. For that reason you need to reassure them they are no different from the people next door. They deserve not only the opportunity but also the support of the community as they move out of the institutionalized living that held them back in many cases for so many years—in some cases for 20 or 30 years.

I know of cases in my own community where they've maintained residency in the psychiatric hospital and they should never have been there in the first place. But they stayed there for a period of 18 or 20 years, and have now come to the point where they are out living in the community. I believe the community should be ready to support those



people and should be ready to accept them. But to withhold from the public all the information that is available is to say to the people, "Accept these people blindly and on our word." I don't think that helps them and I don't think it helps the community. I don't think it helps anybody, but particularly the people who we're so particularly concerned about and that is the mentally retarded.

I say this for those people who are mentally retarded at any age—childhood right through to the adults. In my area we are dealing more particularly with the adult, but I think the same applies in many other institutions such as Orillia or Smiths Falls or right across the whole province.

But I wrote the minister that letter on June 3, requesting a copy of the results of the service needs analysis survey. I had the survey as it was outlined in a release from your ministry some months ago. It's very lengthy and it's very perceptive of the information that your ministry certainly requires in order to develop a programme. But it is also very necessary for the general public to have the results of this type of thing made available too, for the purpose I've gone over. The answer I got from you—I realize you do have the results—boil down to—I'll just skip through your reply:

Thank you for your letter of inquiry of June 1st. This survey was carried out according to a questionnaire that you've already seen. The information from the survey when it was finally tabulated was fed into a computer from which we can extract as required various types of information for planning.

I think it's a little more significant than to be put into a computer so that only your people can find out what's in there when you want it for some kind of planning. I think the information and the answers to all these questions are significant to the people who are working in the field with the mentally retarded. They are significant to the people who are working in the psychiatric hospitals from where we are still trying to move many of these people. They are also significant to the people who are running the different types of homes that we hope you are beginning to establish throughout the community.

[5:30]

I think if you just stick all this information in a computer and leave it there, and for your people to be able to pull it out as they require it and nobody else really to have public access to it, is not proper. I think that there was \$200,000 or \$300,000 spent

on this survey and I think to make best use of it it should be available.

However, you went on in your letter of reply to me: "The material, in its most useful form is produced in the form of computer printout by district." In other words, what you're telling me is that you don't have the statistics put together for the whole province, that you've done it for each individual district. You also go on to point out to me that it would be available to me to find out from my district what the answer to these questions were. If I got in touch with the coordinator of the district office, it would be explained to me.

The questions are pretty blunt; they're pretty straightforward. I can understand the questions; I'm sure I can understand the answers if they were given to me. I don't need anybody to explain the quite simple type of question that was put forward in that questionnaire. I may need some person to explain to me why these questions were put forward and what the significance of the answer is. I do agree that as a layman I certainly would require that type of input. But I am able to get that if I am able to get the answers.

It was really odd, though, the way you ended up your letter:

As a result of the survey we do have one summary table which we find extremely useful for reference purposes. It indicates the original domicile of the residents in our schedule 1 facilities by ministry districts. [And you said:] And I enclose this in case you find it of interest.

That's only one of a whole number of questions; that's what it is, just one piece of paper. The questionnaire is how many pages long? I don't know; it's a good length anyway. There are a good number of questions. I read it through and many of the questions are very much more pertinent than the numbers that you provided here. Although this is of some value in trying to assess what the real problem is across the province insofar as numbers are concerned, it doesn't give any other indication as to what you're going to base your programmes on.

I think it's important that we, as critics in the Legislature, both in the party sitting to my right and ourselves, should have this information available. You say it's too bulky. Well, I think we can handle it. I don't think the stack's too high that we couldn't have somebody move it over and we could go through it and pick out what we think are



significant facts or what the people who are advising us think are significant facts.

The other point I want to make to you is that these facts are not really provincially-based if, in fact, they are all broken down in your computer into districts. There's no reason why a collation of all those district facts couldn't be done and couldn't be produced and provided to us. This is, in fact, what we're asking for. But in your letter you indicate this is not available.

I would also like to point out to you that in this one printout you forwarded to me you list all the facilities and you list the origin of the people who are residents in those facilities. It comes to a total of 6,076. In fact, as I understand it, the application of the survey was made to a total of 7,800 or 7,900 people. I would like to know what happened to the other 1,700 or 1,800 people who are in facilities 1 and 2, and who obviously had this questionnaire applied to them or to their consulting psychiatrist or physician or whoever in the institutions is providing the answer. I would like a rather broad description of that programme and some definitive answers as to what was in the questionnaire.

To get back to my original remarks, I would like to ask again a number of questions in regard to the policy of the ministry and its orientation towards its proposals and implementation of its plan. There were two different interministerial documents, I believe, that appeared in the spring of 1975; we were provided with this one, the blue book, dated April 17. There is also another copy of that same programme which is dated spring, 1975—that's the only date on it—and which differs quite substantially in places from the blue book.

We are told the blue book is the official book, and the other one we have obtained has many more facts and figures and some dollar input as to the actual costs of the different programmes that are envisaged and, in fact, recommended by your own ministry to you, as the minister, to be implemented. When we read both of these, we find that there are some areas where there is a difference in the implementation of the programme and, in fact, there is an indication that there is a difference in what's being recommended as the programme.

It's very difficult to follow exactly what you are trying to do. Although the trend is the same in both of these booklets insofar as the general recommendations are concerned, there are some things left out of

one and not out of the other; there are also some differences in the methods of implementation and in the programme itself. As well, the total area of costing is not dealt with at any great length whatsoever.

I have a number of questions that I would like to put to you. Perhaps it might be best if you were to reply to what I have said so far, and then I could put five or six questions based on your programme.

**Hon. Mr. Taylor:** First of all, dealing with the question of the service needs analysis survey: As you can appreciate there were actually two studies; one, of the institutions themselves, was completed. As a matter of fact, I understand you have been sent some information from Mr. Capps of my ministry. The other survey, which deals with the community needs, hasn't been completed yet.

I want to assure you that there's nothing secret in this field of mental retardation as far as I am concerned. I appreciate what you said in terms of agreeing with our philosophy in dealing with the mentally retarded; and when we talk about the mentally retarded, as you have mentioned, often it is just not simple retardation or somebody being not as bright as another person, because there are also many people who are multiply handicapped.

You have mentioned the psychiatric problems. In Orillia we have perhaps 25 to 40 people who may have psychiatric problems. Throughout Ontario there wouldn't be many more than about 100 or so; it may be two percent of the total population in our institutions who are suffering from some psychiatric problem—

**Mr. R. S. Smith:** That is what that thing says. That is what we want to know.

**Hon. Mr. Taylor:** All right. Again, as you pointed out, it may not be much different from the community at large but as you know, the mentally handicapped are often physically handicapped as well. There is a variety of handicaps. Some of them are very difficult. A mentally retarded person may be blind or deaf or both deaf and blind. Trying to develop the potential of those persons is often trying and it is difficult—we need skilled people and we are doing what we can there.

It's a big problem and I am very grateful, really I am, that you are committed to our philosophy in terms of giving them as much individual programming, individual attention,



as much of the developmental service that we can to develop them to their potential, from the institution, hopefully, into the community. We are trying to do the best we can there.

You made mention of Orillia and, believe me, it troubles me. Something I have been trying to do is to make the community feel as comfortable as it can under the circumstances. As you know, all that has to happen is one mentally retarded person from our institution getting into the community and committing some offence, some crime—or not even getting out of the institution but committing a crime on the grounds. Then we have a polarization of prejudice like you never saw. The whole institution becomes tarnished with that brush not only of being retarded but being psychopaths and everything else.

There is fear engendered in that and the more we play on that the more we get the community upset and the more difficult it is to tell that community, "We want you to accept the people we have worked with into the community." You have that problem and you can't have normalization—

**Mr. R. S. Smith:** It is not a problem if you deal with it.

**Hon. Mr. Taylor:** —unless you have a community in which to normalize. If you have a community which is opposed, if you get a backlash spring up, of course you are in difficulty.

When we have problems as we did and have in Orillia I try to treat that in a sensible way. Let's get in there. Let's make the internal changes which may be necessary and I am not saying they are not necessary. Of course we have to make changes. We have to do things and there is a lot to be done.

I want you to know again that I am happy to share with you any of these surveys we have as they become available. I say that to the member for Bellwoods and anyone else because surely we are committed to accomplishing the same thing? There is no monopoly on helping the mentally retarded. If you can help, if you've got some ideas, anyone, fine.

We are sharing those reports with the district working groups. We are looking to them for input and it will be in a form, I don't care how bulky—you've mentioned that you are an uncomplicated kind of a guy. Okay, we don't have to retrieve stuff from a computer. The district working groups are working with this information; there is no reason you can't. As I have mentioned, I am pre-

pared to share that information with anyone who can make a contribution.

Believe me, nothing is going to be hidden in this field because I need all the help I can get, even from the member for St. George—

**Mrs. Campbell:** Thank you.

**Hon. Mr. Taylor:** —in terms of doing our utmost to help develop the potential of the mentally retarded. Too many times they've been written off as being some sub-human types of persons who haven't any feelings, haven't any skills or abilities to develop. We have proved you can. Not only is it more satisfying for those people and for their families to develop those potentials and to become more a part of the main stream of communities, in economic terms it's good as well.

We are committed to that and I know you are committed to that. I am certainly prepared to share any information with you that will help not only to alleviate the concerns of the community so that we can develop our community-based programmes and group homes and so on, but to assist in the development of our programmes.

[5:45]

**Mr. R. S. Smith:** I was going to follow with the questions that I have. I indicated when I sat down that I had these questions. But—

**Mr. Acting Chairman (Edighoffer):** Order, please. There seems to be a limited amount of time. I believe you did mention you'd like to place a few questions. If you could do that as quickly as possible.

**Mr. R. S. Smith:** Mr. Chairman, we had an agreement that we would make up on this vote.

**Mr. McClellan:** Within five or 10 minutes.

**Mr. R. S. Smith:** Well, within 10 minutes. Am I right?

**Mr. Acting Chairman (Edighoffer):** Would the member for Nipissing continue?

**Mr. R. S. Smith:** I just want to ask specific questions in regard to the blue book then:

Emphasis was placed on the development of adult training homes, adult group centres and serviced apartments and home co-op living. Capital expenditure was to have been provided for the construction of two core residences as well as a number

of small community residences for rural and northern communities. These were to have been special support homes.

That was edited out of one copy but appeared in another. I'd like to know what was accomplished in the past fiscal year and what there is in this specific estimate for that specific recommendation this year?

I'll just go on with the others. Work training: What efforts have been made to rationalize existing programmes in work training facilities? Funds were to have been made available to agencies for a number of things including programme managers, protected businesses and a lot of other recommendations.

What funds were made to what agencies and what are your recommendations for this current year insofar as funding of that type of thing is concerned? Maybe you could just give me a ballpark figure in answers so that we can move along.

There's adult protective services: How many adult protective service workers are there presently and how many should there be? The average cost, as I understand it, from one of the publications is \$19,200. That's from page 55.

Family service workers: Where do we stand on that? What has taken place insofar as both the Williston report and the green paper in conjunction with that? How many of these workers are there and what is their caseload? I'd like to go on to a lot of other questions, but I'll just stop there for now.

**Hon. Mr. Taylor:** Very quickly because I know the time is limited, may I say that these are some of the results: The establishment of 17 accommodation settings serving 118 individuals; the establishment of four employment settings with 187 individual placements; we have fielded 30 protected service workers serving 900 individuals; established four life-skills training courses serving over 136 individuals; established seven parent relief projects serving 755; three instant stimulation projects serving over 230 individuals; and three recreational services projects, serving approximately 100.

That's last year. This is what we accomplished last year. If you want cumulative totals, the accommodation places were 1,103; work in training places 3,758; development daycare places 1,350, support services for 1,085 clients—that's the protective services—and we have 57 adult protective service workers, so that you can see that's the cumulative of the 57 there. It goes to show what

we have accomplished and the cumulative effect of that in the last year. I think you'll agree that we're proceeding quite rapidly in terms of carrying out the philosophy of—you mentioned Williston—the Williston report and what our commitment is in the community.

**Mr. R. S. Smith:** I have a couple of other questions I'd like to ask. I'd like to ask two short supplementary questions to what you've said. Most of this is being done through the local working groups and, below that, the associations. Are there any moneys that are going to be available to private or non-profit groups in the area of development of such things as camps or recreational facilities for retarded children? Should those groups perhaps look to Wintario as far as recreation is concerned or will that be in your ministry?

I had one other question and that is in regard to the specific problems we had in my area a few months ago. It became just a complete breakdown between you and the Ministry of Health as to what was going to happen to those people in that facility because the community facilities have not been put in place to take these people. Instead of leaving them in the facility you were going to move them away to Smiths Falls, 300 miles away, which would have been disastrous to a number of the people and their families. You are aware of that as well as I am.

**Hon. Mr. Taylor:** In regard to recreation projects, there are 19 that will be funded this year. There are other involvements, as you know, through Culture and Recreation. I am sure there are other avenues that will be, and have been, taken.

I want to say again, and I can't emphasize too much, that we have to be concerned about the community readiness to accept the retarded and it's a limiting factor. You mention the North Bay situation in regard to the depopulation of the schedule 1 facility there. My concern is, of course, the welfare of the retarded person and, of course, of the family as well. That was a factor. We found in North Bay that there wasn't the responsiveness in the community to accept the mentally retarded that we had hoped for. We'd planned for community involvement. That didn't pan out. Because of that, I extended the—

**Mr. R. S. Smith:** No, that is not correct. That is not quite correct.

**Hon. Mr. Taylor:** It is correct because we had hoped for the settlement of between 20 and 30, if my memory serves me correctly.



**Mr. R. S. Smith:** But you made no moves in developing.

**Hon. Mr. Taylor:** It is okay to say let's get them involved in the community, but we must have a community that is prepared to accept them. You heard earlier today about zoning problems and all kinds of problems that come up when you try to establish a group home.

**Mr. R. S. Smith:** They are prepared. They already have accepted. The district group will tell you that. You have done nothing.

**Hon. Mr. Taylor:** If the North Bay association is able to develop proposals to accommodate the residents in the Nipissing centre, then fine, we will be happy to work with them. We are working them. This is what we want; we want to get that local initiative. We will do our best in terms of support services to ensure they are accommodated and provided for in the community.

**Mr. R. S. Smith:** The support is there but the money is not forthcoming from you people.

**Hon. Mr. Taylor:** We spend our money wisely but that doesn't mean we are not spending money and a lot of it, as you see from this vote, on accommodating the mentally retarded, and the programmes. There is quite a dramatic increase in terms of the money for community programmes. Of course, that is the emphasis that I think must be made in terms of helping the mentally retarded.

Just one point that you mentioned in terms of the population of the institutions that I should have pointed out to you when you read off from a sheet that you obtained. You have the total population—

**Mr. R. S. Smith:** You mailed it to me.

**Hon. Mr. Taylor:** Sure I did, which shows and demonstrates our willingness to co-operate and to give you full information in this area. I reiterate my offer to share fully with you, in any of these things. That sheet indicated population in the facility, and the community from which they came. You read out the total of 6,076, but the next column shows what we call the citizens of the world, where they don't have any identifiable place of origin in terms of community, and you have there another 993. So there is almost 1,000, which makes up about 7,000 or so residents in our schedule 1 facility.

**Mr. McClellan:** Mr. Chairman, I wonder if I could just have one short question.

**Mr. Acting Chairman (Edighoffer):** The member for Bellwoods.

**Mr. McClellan:** I have asked it before this afternoon, I just wanted to get an answer. It's with respect to your imposition of means testing on daycare services to the retarded. I have a letter that the Association for the Mentally Retarded sent to you at the beginning of March. It puts out a compelling and, I would say, an overwhelming case in favour of making the policy, with respect to daycare facilities for retarded children, exactly the same as the policies of the Ministry of Education, with respect to deaf children.

Unless you do this you are depriving the retarded children of a preventive service. You are imposing a deterrent, to the kind of preventive service, that will serve to reduce the need for more expensive institutional care. The earlier the disability is caught, as you know, the better the prognosis is for treatment and for success in a community-living kind of programme. It seems to me that you should be opening the way for retarded kids to go into the daycare programme.

The daycare programme is a specialized service, for retarded children, that deals with their disability. It's not like the normal daycare programme, under the Day Nurseries' Act, that the majority of kids in the province take. It's a specialized treatment service, and, to impose the same kinds of means testing, on that, which you impose on the regular daycare programme, makes no sense at all. It is counter-productive. I hope that you will consider the argument of the association, which we support, and remove means testing from the retardation daycare programme.

**Hon. Mr. Taylor:** Well, just briefly in reply: As you know, we do means tests in terms of our facilities—and schedule one facility. If a person has a sizable income, and there are cases where estates are left to mentally retarded persons who can afford to pay their per diem rates in institutions, they pay. That's a fact of life that we live with and I would think it is fair. We do it in our homes for the aged the same way, whether there are poor people, or retarded or not.

In the daycare centres, of which you speak, at present, there isn't any needs testing. That is the situation now. I'm not saying, if you're suggesting it that we should needs test. It may be that we should needs test—



**Mr. McClellan:** I am suggesting that you don't impose needs testing on day care for retarded children.

**Hon. Mr. Taylor:** You're asking and I'm just saying that we don't at present but the—

**Mr. McClellan:** Are you planning to?

**Hon. Mr. Taylor:** It is something that we'll have to consider, now that you raise it.

**Mr. McClellan:** Don't play games. That's real crap. You have got the letter from the association, dated March 1. Why are you playing these kinds of games?

**Mr. Deputy Chairman:** Order, please.

**Hon. Mr. Taylor:** Just calm down, now. You don't have to get all excited here. We're trying to deal sensibly with the problem, in terms of diagnostic and assessment work, again we don't—

**Mr. McClellan:** Just remember what your responsibilities are and who you're serving.

**Mr. Deputy Chairman:** Order, please.

**Hon. Mr. Taylor:** That's right and I asked you to remember that, too, because surely you can share those responsibilities in doing what you can to assist the people that we're trying to help. You know, and I know, that we have a lot of community services to help the mentally retarded. We do that and we intend to continue to do that and hopefully to develop, further, our programmes in that regard. But don't bring up—

**Mr. McClellan:** Instead of taking cheap shots, why don't you just read the letter of the association and give them a positive response?

**Hon. Mr. Taylor:** All right, if you have a letter that you wish to discuss with me, I would be very happy—

**Mr. Deputy Chairman:** Order, please.

**Hon. Mr. Taylor:** Look, I'm certainly approachable, as you know. Anything that you ask I respond to, and quickly. If you want to discuss that letter with me at any time, then I'm only delighted to review that with you—

**Mr. McClellan:** March 1, to you.

**Hon. Mr. Taylor:** —or the association or anyone else.

**Mr. McClellan:** Does it take you three months to read a letter?

[6:00]

**Hon. Mr. Taylor:** No, it doesn't, nor does it take me three months to reply. If you want to be co-operative and work with us on this I think it would be more helpful.

Vote 2703 agreed to.

**Mr. Deputy Chairman:** This completes the estimates of the Ministry of Community and Social Services.

**Hon. Mr. Welch** moved the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Deputy Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The second order, House in committee of the whole.

#### ONTARIO NEW HOME WARRANTIES PLAN ACT (continued)

House in committee on Bill 94, An Act to provide Certain Protections for Purchasers of New Homes.

On section 13:

**Mr. Deputy Chairman:** When the committee rose earlier today we were discussing Mr. Renwick's motion to subsection 3 of section 13. Is there any further discussion on the amendment moved by Mr. Renwick?

Mr. Renwick had moved that subsection 3 of section 13 of Bill 94 be amended to read as follows:

(3) An inspector appointed under section 18 shall deliver to the owner a certificate certifying the date upon which the home is completed for his possession and the warranty is to take effect from the date specified in the certificate.

**Mr. Deputy Chairman:** All those in favour of Mr. Renwick's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

**Mr. Deans:** We will stack it.

**Mr. Chairman:** Shall it be stacked?

Agreed.

**Mr. Deputy Chairman:** Mr. Renwick moves that subsection 4 of section 13 be amended to read as follows:

(4)(a) A warranty under subsection 1, other than with respect to major structural defects as defined by the regulations, applies only in respect of claims made thereunder within three years after the warranty takes effect or such longer time under such conditions as are prescribed.

(b) A warranty with respect to major structural defects as defined by the regulations applies only in respect of claims made thereunder within 10 years after the warranty takes effect or such longer time under such conditions as are prescribed.

**Mr. Renwick:** Mr. Chairman, I think the proposed amendment when read in the light of subsection 4, which we are replacing by this amendment, speaks very much for itself. It is our view that a statute such as this should prescribe at least the minimum warranty period. That's the first point.

The second point is that it is not possible to lump together the various warranty provisions so that all of them apply only within the one-year period. In the absence of any definition by the ministry of what it is going to prescribe by way of longer periods of time that is what we must take this to mean. It is not possible to lump them together to provide that claims for major structural defects, for example, only apply within one year after the time the warranties take effect.

We have therefore moved that the bill be divided into two separate parts and that the one-year period be extended, in the case of all warranties other than major structural defects, to three years or such longer period as may be prescribed; and in the case of major structural defects to 10 years or such longer period as may be defined.

**Mr. Cunningham:** In rising to oppose this amendment, I would say that any major structural defect should make itself apparent after a year—

**Mr. Deans:** Not so.

**Mr. Cunningham:** We may get some opposition, some disagreement on that. From my point of view and I am sure it is supported by a number of people who have much more expertise in this regard than I, I think it is generally determined that this would be unrealistic.

Very briefly, I would say it would be nice if, in the Province of Ontario, we could come

in with a programme which would allow us warranties of up to 10 years but I think we all have to realize that such a cost would be built into every house. The builder would only pass that cost along to the consumer and thereby further increase the cost of housing in Ontario which is something I am sure all of us would not like to see.

Regardless of the warranty programme we are considering right now, I think good houses will still be built by the good builders who exist in this province. Warranty programme or not, that is going to be the best guard, I suppose, the best warranty a home owner can have. Despite the warranty programme we are considering right now, and regardless of whether we put a warranty on it for a year or five years, the only safeguard you really have, I think, is to take your time as an intelligent individual who is going to invest and make the most significant investment you would make as a potential homeowner. You take time to make sure you are buying a home from a reputable home builder and at the same time you make some serious and detailed investigation into what you are buying and what you are getting into.

Notwithstanding that, through this legislation the province will provide people with a warranty as described in the legislation. To increase the length of time of the warranty, as I have said before, will only add to the cost of housing. I think a builder, if he is going to put himself in that kind of position, will anticipate whatever difficulties may arise as a result of covering the cost of potential damages over the course of 10 years and build that into the cost of the housing. We all know that in life, whether it's buying a home or an automobile or whatever, you don't get anything for nothing.

Certainly, people, who are buying houses—especially good houses which I happen to think are the majority in the Province of Ontario—are going to end up subsidizing the very few poor builders we have. I would hope that with the registration programme we have in this particular bill we are eliminating that kind of individual from participating in the market. I certainly don't think they have been members of the group which will administer this programme as it is.

Certainly, to provide coverage for the length of time outlined in this amendment would be extremely costly and unrealistic.

**Mr. Deputy Chairman:** Is there any further discussion on the amendment? The hon. parliamentary assistant.



**Mr. Drea:** Mr. Chairman, we are not going to accept this amendment for two reasons. The first one is based upon experience—that is, the experience of Alberta which has had a similar programme, although not a compulsory one, for some time; some of the similar voluntary programmes in identical climates in the United States; and thirdly, the experience of the British home warranties programme which has been around for some time. I'm not going to talk about the major structural defects, but in terms of the minor repair, whatever is going to show up is going to show up relatively quickly after the person takes possession of the house.

The second reason is that with the expanded inspection system which is the key to the programme, the quality of material and the quality of workmanship is going to be under close scrutiny. As an aside, it no longer is merely good business to build a good house. It is a matter of continuing on in business. This is going to produce the type of home that will require relatively few minor corrections.

To extend the minimum period from one to three years, when we know already that beyond 90 per cent of all the complaints about the quality of workmanship or finish in a new dwelling occur within the first 12 months, is really asking the purchaser to pay for an extended warranty that the purchaser really doesn't require. As a matter of fact, if I could go back about a year and some months, the one-year warranty was spelled out by the Consumers Association of Canada. It was spelled out by a Mrs. Dana Malling, an architect from Winnipeg, who represented the Consumers Association of Canada in discussions among HUDAC, the government of Ontario, nine other provinces, Central Mortgage and Housing and representatives of the federal minister.

She was most vociferous that a one-year warranty would be sufficient and that beyond that, what was really happening is the consumer was going to pay an extraordinary premium which would only accrue to the particular insurance or bonding companies covering the risk.

I would also point out to the member for Riverdale that the corporation now has the authority, if it so chooses, to change the bylaws to extend that one-year warranty. What this clause says is it must be at least one year. If they find out a particular material is defective, certainly they have the right to extend the warranty to cover that particular material or that particular com-

ponent of the home beyond one year. That is going to be based upon experience.

The major structural defect has been mentioned. You want the time extension to go from five years to 10 years. Again, in section 14, the council has the same power. It must be at least five, but based upon their experience, if they want to extend it, if they find out a particular building material or a particular building technique is found wanting, they have every right to extend the structural defect protection. What they are saying there, too, is it must be at least five years.

In terms of the experience in Great Britain, in terms of the experience in a number of states in the United States where the climatic and soil conditions and the type of house are almost identical to ours, in terms of the Alberta experience, and above all, in terms of the inspection procedures that are going to make sure, for instance, that the drains aren't built upside down, that the I-beam is of such a quality steel and is installed properly, that the roofing trusses meet Ontario Building Code requirements and are installed properly, five years really should be sufficient for any major structural defects within the definition of that to show up and for either the builder or for the warranty programme to commence the rehabilitation of the home, to bring it into the standard that the person wanted when they bought it.

[6:15]

**Mr. Deputy Chairman:** Is there any further discussion on Mr. Renwick's amendment?

All those in favour of Mr. Renwick's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

Shall we stack that amendment?

Agreed.

**Mr. Chairman:** Are there any further comments or amendments to any other section?

**Mr. Renwick:** Mr. Chairman, I would like to make a comment on section 14. It's a distinction which must have a difference to it which escapes me, when we provide that so far as major structural defects are concerned the warranty can expire but you reserve the so-called claim of damages. I don't understand it. I suppose at some point in time the courts will comment upon the unhappy provision of this bill which refers to the warranty having expired for major structural defects but then a claim being able to be made within a four-year period after the expiration of the warranty.



However, our previous amendment tried to deal with that problem. My next section—

**Mr. Deans:** Hold it, are we still on section 13?

**Mr. Renwick:** I thought we were finished with it.

**Mr. Deans:** I have a question to ask on section 13. Can I ask a question on section 13?

Section 13(2)(b) says that a warranty under subsection 1 does not apply in respect of "secondary damage caused by defects, such as property damage and personal injury." If there is a defect and that defect causes damage and that damage effects additional damage on the property, is this then saying that that warranty doesn't cover the repair of that?

Let me give you two examples: There is a major structural defect which causes the house to shift, and there has been built on to that house, subsequent to the time of its original building, a carport or a garage, or a finished recreation room, or another room has been built in the basement. The defect which is covered by this—it may be a beam that has shifted, it could be the footing that has been improperly installed or whatever—but there is damage to that. In addition to the normal damage there is damage to the carport, damage to the garage, damage to the recreation room, damage to the room that was built after the home was originally built. Are you telling me that that damage is not now covered as a result of this section of the Act?

**Mr. Drea:** That wasn't my understanding. However, if you will give me a moment I'll explain what I think that clause is really concerned with. Take the example where there is a carport, where the beam shifts and allows a certain amount of lime or something to fall upon the automobile. Then yes, the original carport will be corrected. But the damage to the vehicle or the damage, if you have some type of leak, to your personal property such as your furniture, that is covered under something else. The whole purpose of this is the house, without your personal property in it and without yourself in terms of a personal injury—

**Mr. Deans:** Wait a minute, we missed something, though, along the way.

**Mr. Drea:** I am instructed that what you outlined in your original proposition would be covered.

**Mr. Deans:** It would be covered?

**Mr. Drea:** Yes.

**Mr. Deans:** Then would you tell me how it would be covered? Because I don't understand. I don't want this taken to a court of law where a person asks for damages to, let's assume, a built-on carport. It wasn't part of the original building but was built on after the purchase.

**Mr. Drea:** No, you change the rules then.

**Mr. Deans:** I didn't change the rules. That's what I asked for.

**Mr. Drea:** I presumed that you were talking about one building.

**Mr. Deans:** No, that's what I asked for.

**Mr. Drea:** All right.

**Mr. Deans:** I buy a bungalow. I move in. Two months later I have a carport or a garage built on for me. At some future date, six months from now, there is a major structural defect which causes that house to shift. Are you telling me that a garage, which may then be split, cracked, or damaged, or that a carport which may no longer be available for use, and therefore may have to be rebuilt, is not covered because of section 13(2)(b)?

**Mr. Drea:** First of all, when I answered your original question—

**Mr. Deans:** No, that's not the point.

**Mr. Drea:** When I answered your original question, I was under the understanding you were talking about something that was done at the same time as the house was being completed. All right, we have that one straight. Just so we are absolutely clear, you are now talking about a home that is under warranty. You are talking about the owner going out, at a subsequent time, and putting an addition on of some description and what you want to know is, if there is a major structural defect within the main dwelling—

**Mr. Deans:** In the original—

**Mr. Drea:** Within the original dwelling, is the secondary thing—which is not under warranty at all; there is no way that your carport can be under warranty, built under those conditions—is the damage to it covered by this programme, by the fact of your major structural defect?

**Mr. Deans:** Yes.

**Mr. Drea:** No. This warranty programme provides for what is built originally. It confines itself to that.

By the same token, you could argue that the failure of the builders to waterproof a wall properly within the meaning of part IX of the building code led to excessive dampness in the basement, and that you should have a claim for the very expensive wall panelling or the very expensive addition to the studs that you put in because it all had to be taken apart, and dismantled in order to give you a dry basement. Since that was not done at the time of the building of the house, I would suggest to you that falls into the area of personal property.

All that is remedied, all that is fixed, or all that is compensated for is what was built in the original construction. After all that is the thing that is under warranty. If you don't have a garage on the house, if you don't have a carport or if you don't have a sun-room built on at the back at the time, then surely you cannot extend the terms of the original warranty to cover additions that were made later.

**Mr. Deans:** I understand you. I again raise the objection with you so that we understand that if that major structural defect had not occurred, then there would be no additional costs to the purchaser. We'll deal with something very simple.

A person moves in and builds a recreation room. It subsequently appears there is a major defect which requires that work be done in the basement. The cost of removing all of that, the cost of replacing all of that is the responsibility of the owner rather than the builder, even though damage has been effected as the result of that major defect. I think that as long as that particular addition, in whatever form it takes, is built properly and would, under normal circumstances, bear up under the normal wear and tear, if a structural defect occurs, and there is damage which requires that owner to expend moneys in order to repair it, that should be covered under the warranty because it is in fact brought about by the negligence of the builder in the first place. I think you should have seen to it that the builder was responsible for damages caused by any negligence on his part.

**Mr. Drea:** You're dealing with two parts. Here we have the original structure, which has been inspected and has been warranted. And here you have a second phase, your carport or your recreation room, which you chose not to let the original builder build. Had you chosen to let him build at the time, it would have been an all-encompassing warranty over an all-encompassing dwelling. Now, you've

gone out to somebody else, over whom the original builder has no control.

**Mr. Deans:** I did it myself.

**Mr. Drea:** If you did any part of the house yourself you can't get a warranty on it.

**Mr. Deans:** I agree. I understand.

**Mr. Drea:** The difficulty is that when you add to a house, where is the inspection, where is the quality control? It is not covered under this programme. On the one hand you have a programme over which you have control. On the other hand, it doesn't cover additions. I suppose it would be just as easy to argue in court that had the carport been built properly that it might not have shifted so badly or had to be dismantled. All right, okay, fine. You laugh, but there is nobody inspecting and there is nobody doing a quality control on the second aspect, and that makes it extremely difficult.

**Mr. B. Newman:** Mr. Chairman, on the same topic, I wanted to ask of the parliamentary assistant who's piloting this legislation through if shell homes then would be completely excluded from the warranty programme? This is when the individual has the builder build the outside—and everything is perfect on the outside—but he wants to finish off the inside himself. Is that out?

**Mr. Drea:** Yes, under section 13(2)(a).

**Mr. B. Newman:** Okay.

**Mr. Deputy Chairman:** Any further discussion on any other section of the bill?

**Mr. B. Newman:** Mr. Chairman, section 8 wouldn't cover it at all. You're referring to 13(2)(f), are you?

**Mr. Drea:** No, 13(2)(a)—“defects in materials, design and workmanship supplied by the owner.”

**Mr. Good:** What about the shell home supplied by the builder?

**Mr. B. Newman:** Yes, let's assume a builder has completed the outside of a home perfectly, or supposedly perfectly, and the owner finishes off the interior because of financial reasons. What would happen if some structural defect in the main structure should then come to light? Would you reply?

**Mr. Drea:** Yes, I would be very glad to. First of all, in order to have the warranty the dwelling has to be fully completed for pos-



session. Now, a shell home obviously is an incomplete dwelling.

In this programme you're buying a package, and you cannot buy them independently of each other. You are buying protection from the time you put down your deposit until the dwelling is finished and ready for possession. In case the builder or somebody defaults with your money, the house will be completed. Then, for a period of five years from that date you have indemnity against structural loss.

Now, if the dwelling has never been completed, obviously you cannot have five years from the date of completion. If you are going to buy a shell house then you are going to have to buy the risks inherent in it.

**Mr. B. Newman:** Therefore, shell homes would not come under the warranty programme.

**Mr. Drea:** No.

**Mr. B. Newman:** Okay.

**Mr. Deputy Chairman:** Section 14; is there any discussion? The hon. member for Riverdale.

**Mr. Renwick:** Mr. Chairman, my next comment is on section 18, subsection 1.

**Mr. Deputy Chairman:** Can we assume that the sections 14 to 17 have been carried?

Sections 14 to 17, inclusive, agreed to.

On section 18:

**Mr. Deputy Chairman:** Mr. Renwick moves that subsection 1 of section 18 be amended to read as follows: "The corporation shall appoint inspectors for the purposes of this Act."

Is there any discussion on Mr. Renwick's amendment?

[6:30]

**Mr. Drea:** This puts me in a difficult situation. Yes, we will accept that, Mr. Chairman. I would point out that to the best of my knowledge—it may have changed in the last day or so—at least 10 inspectors already have been hired. I understand there are more coming on stream; they have to give notice to their employers. We will accept this.

The only reason it puts me in a difficult position—I say this to the member for Riverdale—I suppose to the number of pieces of legislation that I have handled he has probably proposed around 19 or 20 amendments. I don't want to startle him by accepting one.

**Mr. Deputy Chairman:** Any further discussion on Mr. Renwick's amendment?

**Mr. Cunningham:** The Liberal Party, as well, Mr. Chairman will support this legislation. The only thing I would add at this time is that I would hope that the Ministry of Housing would attempt to move people from that particular area into the position of inspectors wherever possible so that there would be no dislocation of jobs. If that could be accomplished, I think that would be of great assistance.

**Mr. Deans:** How about the can workers and their jobs?

**Mr. Deputy Chairman:** Shall Mr. Renwick's amendment carry?

**Mr. Renwick:** Mr. Chairman, I am a little bit concerned about the validity of the amendment now that we have this support. It does make one wonder a little bit.

**Mr. Drea:** Do you want me to reject it?

**Mr. B. Newman:** He's not used to that.

**Mr. Renwick:** I don't know that I would prefer to have it rejected or to accept such small crumbs.

**Mr. Ruston:** He didn't put it in.

**Mr. Renwick:** Maybe I will accept the small crumbs.

**Mr. Deputy Chairman:** Shall Mr. Renwick's amendment carry?

Motion agreed to.

**Mr. Conway:** Just generosity.

**Mr. Renwick:** Mr. Chairman, I have no further amendment until section 23.

**Mr. Deputy Chairman:** Are there any further comments, questions or amendments prior to section 23?

Sections 18 to 22, inclusive, agreed to.

On section 23:

**Mr. Deputy Chairman:** Mr. Renwick moves that subsection 1 of section 23 be amended in the first line to read as follows: "The corporation may make bylaws subject to the approval of the Lieutenant Governor in Council."

**Mr. Renwick:** I have a comment which I would like the parliamentary assistant to answer. My other point is very simply that the Interpretation Act of the province provides specifically, in section 27, clause (g),



that in every Act, unless the contrary intention appears where power is conferred to make bylaws regulations, rules, or orders, it includes power to alter or revoke the same from time to time and to make others.

It did seem to us that it was extremely important that if the government is going to appoint HUDAC, the industry association, forum for the purpose of administering this Act and have no control over that organization, the least it could do is to provide that the bylaws to be made by the corporation which will determine the substance of the efficacy of the Act over the period of time should be subject to the approval of the Lieutenant Governor in Council. Then, not only would they be subject to such approval in the original instance but any changes, alterations or amendments to them would also be subject to the same approval.

My second point is in the form of a question. Subsection 2 of section 23 states: "A bylaw passed under subsection 1 shall be deemed to be a regulation to which the Regulations Act applies." Is it true that means that yes, it will be filed in the office of the registrar of regulations, and yes, it will be published in the Ontario Gazette despite the fact that the government will have nothing to do with it?

**Mr. Drea:** Yes, it does.

**Mr. Breithaupt:** Yes to both.

**Mr. Drea:** Yes to both. Now to come back to the main point. First of all, this legislation—and I can see it is somewhat radical because it does provide for self-regulation—at least it's radical to a group over there.

**Mr. Conway:** That's radical?

**Mr. Drea:** Anything being done for the first time since about 1946 or 1947 and reversing accepted trends I consider to be radical. It was on the side of self-regulation. I've never been all that concerned about radical things being right or wrong in themselves; I'm just as glad it is radical going to the right as radical to the left.

**Mr. Conway:** What was that about 1946?

**Mr. Drea:** To turn this around—

**Mr. Deputy Chairman:** I wonder if the hon. member would return to the radical discussion of this amendment?

**Mr. B. Newman:** Attaboy, Mr. Chairman; that's the stuff.

**Mr. Deans:** Consider yourself chastised, Mr. Chairman. Did you notice the dirty look you got?

**Mr. Drea:** Mr. Chairman, I wasn't giving you a dirty look. I was just collecting my thoughts.

**Mr. Deans:** The member is trying to get his tongue out of his cheek.

**Mr. Drea:** I think the point was made.

**Mr. Deans:** It was. If that had been the member for Lake Nipigon (Mr. Stokes), he would have told you to sit down.

**Mr. Drea:** We want to continue within the framework of legislation which basically provides for self-regulation underneath an umbrella of government supervision, which is the commercial relations appeals tribunal. Despite some people's aversion to radical things—that is somewhat radical—this amendment would go counter to that self-regulation proposal. What it would be doing is saying you have every right to regulate yourselves but whatever you do must be approved by the government and by the executive council of Ontario.

I would point out that there is one very key section in which we have retained approval by the Lieutenant Governor in Council and that revolves around any terms and conditions on the registration of a builder. That has been done for very obvious reasons.

Since here you have an association of builders through a non-profit corporation not only administering the law on behalf of the consumer but regulating the industry for the purpose of allowing only registered builders to build, the question of who is allowed to build could become one of very intense significance. Regarding the terms and conditions of registration, we have retained it. That is a protection for the people who are involved in the industry so they may not be put out of business by people who might be wanting to deprive them of their livelihood not because of the way they build but in an effort to lessen competition or for other economic grounds.

We would refuse to accept this. If you are going to have self-regulation, you might as well have it all the way through the bill. I don't believe you can have it 99 per cent of the way through the bill and then suddenly turn around and say, "Notwithstanding all of that and notwithstanding whether the plan works, the government will decide what you can do and what you

cannot do". That would remove any flexibility and any real meaning from the corporation and the council which will be administering this Act for practical purposes.

**Mr. Conway:** The cabinet is just around the corner.

**Mr. Deputy Chairman:** All those in favour of Mr. Renwick's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "ayes" have it.

Shall that vote be stacked?

Agreed.

**Mr. Renwick:** I have a further amendment.

**Mr. Deputy Chairman:** Mr. Renwick moves that section 23 be amended by adding thereto subsection 3 as follows: "3. This Act binds the Crown."

**Mr. Renwick:** The reason for the amendment is that the Interpretation Act provides in section 11 that no Act affects the rights of Her Majesty, her heirs or successors unless it is expressly stated therein that Her Majesty is bound thereby. Having regard to the role of the Ontario Housing Corp. and of the Ministry of Housing in the housing developments in the Province of Ontario, we feel it is wise that this Act apply to the Crown and its emanations.

**Mr. Deans:** Wait a second, Respond.

**Mr. Drea:** Anybody else?

**Mr. Deans:** I want to hear what you have to say.

**Mr. Drea:** Mr. Chairman, I think we can accept this in principle provided there is a modification that would exempt section 6 through 10, which relate to the actual physical registration, because otherwise you are asking the Crown to register and to be judged by the Crown itself. It isn't the registration process, because that will be done through the corporation; but a refusal would put the corporation in a very peculiar position because here would be CRAT, which is the Crown, judging the Crown's ability to operate in this field.

I would suggest to you, and I would suggest to the member for Riverdale, that were he to rephrase his amendment to say that this Act, except for sections 6 through 10, binds the Crown, we would be willing to

accept that. I think he would understand the difficulty the Crown would be placed in with regard to the particular sections on registration, since there is an ultimate appeal to the Crown for impartial justice.

I would also say in terms of practical value, putting this in really wouldn't have that much impact upon Ontario Housing. It is not acting as its own builder. Other people are doing the building. It may have the proposals, it may have the development and it may be taking the credit at the end, but the physical building of the residential premises, at least up until now, has been done by commercial builders, who will be registered under this programme. However, if you feel that the Crown should be bound, notwithstanding the fact that the Crown is not in the business, we are prepared to accept it, provided it excludes sections 6 through 10, which the marginal notes describe as "registration required," "registration of vendors and builders," "conditions of registration," "registration not transferrable," "refusal to register," "revocation and refusal to renew," "notice of proposal to refuse or revoke," and so on. I don't really see any way that the Crown could function under those circumstances, because the Crown would be sitting in ultimate judgement, and how does the Crown judge the Crown.

**Mr. Renwick:** Mr. Chairman, subject to what the legislative counsel believes is the appropriate change in the amendment which I propose, we would be agreeable to that.

**Mr. Breithaupt:** Agreed.

**Mr. Drea:** Would you like to accept that?

**Mr. Deans:** That's fine. We will accept that draft.

**Mr. Breithaupt:** Mr. Chairman, it would appear that the amendment proposed in effect by the parliamentary assistant can replace the other amendment, and it probably can be accepted without any division.

**Mr. Drea:** Subject to draft.

**Mr. Deputy Chairman:** Perhaps I could read the amendment again, noting the exceptions in the amendment.

Mr. Renwick moves that section 23 be amended by adding thereto subsection 3 as follows: "This Act binds the Crown with the exception of sections 6 to 10." Is that agreeable?

**Mr. Deans:** There is only one problem I want to raise with you in that regard so that



it can be drafted properly. I am not sure that all of section 6 should necessarily be excluded in that it says, "No person shall act as a vendor . . ." while it is entirely possible that the Ontario Housing Corp., through the Home Ownership Made Easy programme, do act as a vendor.

**Mr. Renwick:** But that's excluded.

**Mr. Deans:** But I think they do act as a vendor. They don't act as a builder, but they act as a vendor.

**Mr. Drea:** You are quite right, but your whole point is that in order to qualify they would have to be registered.

**Mr. Deans:** Right.

**Mr. Drea:** All right, and to get registered—

**Mr. Deans:** I understand your argument.

**Mr. Drea:** Okay, but if you don't exclude section 6 at the very least, you get into the conundrum of the Crown and the Crown.

**Mr. Deans:** I understand all the other arguments with the exception of the conundrum of the Crown and the Crown.

[6:45]

**Mr. Drea:** But you have to be registered to act as a vendor, and to get your registration as a vendor of a new home, it comes through the exact same procedure as a builder of a new home. Obviously Ontario Housing cannot act under the Real Estate Brokers Act. They would have to act under this and you get into the registration difficulties.

**Mr. Deans:** Okay, that's fine.

**Mr. Deputy Chairman:** Do you wish the chairman to read the amendment again?

**Mr. Renwick:** Yes. I would like to hear you.

**Mr. Deputy Chairman:** Thank you.

"With the exception of sections 6 to 10, this Act binds the Crown."

Shall Mr. Renwick's amendment carry?

Agreed to.

**Mr. Deputy Chairman:** Are there any further comments, questions or amendments to any other section of the bill?

On section 24:

**Mr. Renwick:** Mr. Chairman, in section 24, what is the intention of the government with respect to the day on which this Act is to come into force?

**Mr. Drea:** I am instructed, Mr. Chairman, that the intentions are for proclamation in the fall.

**Mr. Renwick:** For proclamation before the end of the year?

**Mr. Drea:** Yes, in the fall.

**Mr. Renwick:** Thank you.

**Mr. Drea:** It's my understanding that it probably will be September. It may be a little earlier or a little bit later, but before the end of this year.

**Mr. Deputy Chairman:** This completes the discussion on Bill 94, and the amendments will be dealt with when the stacked votes are carried out, I understand, tomorrow.

#### MUNICIPAL CONFLICT OF INTEREST AMENDMENT ACT

House in committee on Bill 100, An Act to amend the Municipal Conflict of Interest Act, 1972.

**Mr. Deputy Chairman:** Are there any comments, questions or amendments to any section of Bill 100, and if so to which section?

**Mr. Renwick:** Mr. Chairman, I think I was causing the delay in the passage of this bill because I didn't understand what kind of a corporation it was that was going to be incorporated.

I take it that, regardless of what the section says, it's a corporation that would be incorporated by or on behalf of the municipal corporation for the purpose of carrying on business for and on behalf of the municipality. Am I correct that it's that kind of a corporation that you're talking about—a corporation incorporated by the municipality for the purpose of carrying on business for and on behalf of the municipality or local board, or some such similar board? In other words, it's an emanation of the particular municipality or of the particular local board and that is why you think it does no harm to extend the provisions of the bill to eliminate indirect conflict of interest in those circumstances?

**Mr. Norton:** Mr. Chairman, yes. That is precisely my understanding of the wording of the section of the Act. As I attempted to explain previously, the only reason for the change in the article from the definite to the indefinite is to make it possible for persons who might be appointed by an upper tier council to vote in their capacity as a member of a lower tier council on a matter



relating to the body on which they held the appointment.

**Mr. Renwick:** Perhaps the parliamentary assistant would just—so that I understand it—explain the kind of corporation that you're talking about. Am I correct when I say that it is a corporation incorporated by the municipality or a local board for the purpose of carrying on business for and on behalf of the municipality or local board? Is that the kind of corporation we're talking about?

**Mr. Norton:** Yes.

**Mr. Renwick:** Thank you.

Bill 100 reported.

### MUNICIPAL AMENDMENT ACT

House in committee on Bill 89, An Act to amend the Municipal Act.

**Mr. Deputy Chairman:** Are there any comments, amendments or questions to this bill and, if so, to which section?

**Mr. Swart:** After considerable discussion in this on second reading, we proposed an amendment to section 10 of this Act. I don't know whether there was anything else ahead of that by any other members, if not I will lead—

**Mr. Deputy Chairman:** Any discussion on any section prior to section 10?

Sections 1 to 9, inclusive, agreed to.

On section 10:

**Mr. Deputy Chairman:** Mr. Swart moves that section 10(50)(c) be amended by inserting in the fifth line after the words "the council may," the following words: "develop, subdivide, service" so the subsection will read:

Where it appears to council that any land acquired under this paragraph is no longer required for the purpose for which it was acquired, or for the use of the municipality, the council may develop, subdivide, service, sell or dispose of the whole or any part of such land for any purpose.

**Mr. Norton:** Mr. Chairman—oh, I am sorry. I thought he was introducing an amendment on another bill.

**Mr. Swart:** Mr. Chairman, may I then speak to the amendment?

**Mr. Norton:** Would it be possible for me to have a copy of the proposed amendment, Mr. Chairman? It seems to have been customary practice in the past.

**Mr. Swart:** Perhaps we could have one sent over.

Mr. Chairman, I think the intent of this amendment is obvious to the House. It gives further options to the municipality. At the present time the municipality does not generally have the power to subdivide property for commercial or residential purposes and it seems to me that municipalities should have that power. If it seemed appropriate that this land should be subdivided for residential purposes, and the municipality owned that land, rather than having to sell that land to private developers they should have the right to develop this land on their own, and sell it off.

I would point out, Mr. Chairman, that a number of years ago in the city of Welland, by some technique or other some special concession was given to the county to subdivide and develop a rather large parcel of land which they owned in the city of Welland and had owned in conjunction with the homes for the aged. That development and sale of land was a success both to the county and to the purchasers of those lots. That is not exactly comparable with what the amendment proposes here but it is in the same vein in that it gives them that option that they may proceed with the development of that land, or the sale of it, for whatever purpose they deem advisable.

Of course, the municipality would have to go through the procedures of a developer—any private developer—in getting such things as zone changes and approval of subdivisions. It would give them that option. It seems reasonable to me, when they have acquired the land and no longer wish to use it for industrial purposes, that they should have this right as well as the right of option to sell it to anybody.

**Mr. Good:** I have difficulty, Mr. Chairman, understanding the implications. As I understand it, we are talking about land which would have been acquired by a municipality, probably under the development Act—at least the Development Corporations Act—especially for the development of industrial sites.

The Act simply states that where the land is no longer required for the original purpose of dividing into industrial sites and for sale by the municipality to industries to attract industry, they can change it. They have

permission to develop, service, and subdivide it for industrial purposes. What you are asking here, as I see it, is that if they don't want it you are giving them permission to do with it what they could have done in the first place.

I am sorry, I just don't understand the implications. Are you saying they be allowed to ask for a zone change in residential development? Is that the impetus of your amendment, or what? Frankly, I just feel that what you are asking them to do, when they have no further use for it, is exactly what they could do with it when they bought it.

**Mr. Swart:** Perhaps, Mr. Chairman, I could just answer that specific question. The Act as it is presently written says when the council no longer requires land for the purposes for which it was acquired—which was industrial purposes or the use of their municipality for zone purposes—the council may sell or dispose of the whole or any part of such lands for any purpose. At the present time they could sell it for residential purposes, which would require a zone change. Under present legislation they could not service and develop it for residential purposes. I want to give the municipalities the option, if they wish, to develop the land on their own without having to sell it to a developer.

There are many tracts of industrial land a municipality may have for one reason or another that they no longer want for industrial purposes. In the Niagara region and in many areas, changes are being made to various zones. If they don't need that land for the purpose for which it was acquired, they may now sell it for any purpose. They may develop it themselves for some other purpose than that for which it was acquired. Have I made my point clear?

**Mr. Deans:** Yes, absolutely clear.

**Mr. Norton:** Mr. Chairman, it is not quite so clear to me. First of all, I would suggest the amendment is redundant in that although this particular wording of this section does not spell out what the hon. member wishes to have it spell out, under the provisions of the Housing Development Act the municipality, provided that the municipality has either a housing policy statement or an official plan, is able to engage in the development and servicing of land as the hon. member indicated.

I think his amendment at this point is redundant, unless it's his intention to circum-

vent any of the provisions of the Housing Development Act. If that is the case then I would suggest to him the proper place to do that would be by amendment to the Housing Development Act and not by amendment to this particular provision of the Municipal Act.

[7:00]

**Mr. Swart:** If I may speak just once again, the parliamentary assistant knows exactly what I want to do and that is to circumvent the provisions of the Housing Development Act where the municipality already owns this land. I'm sure the parliamentary assistant is aware that at the present time very few municipalities have this approved housing plan which gives them permission to do this. In fact, that provision in the Housing Development Act was put in largely to inhibit the municipality from proceeding with land development on its own.

We formerly had the Land Assembly Act which gave permission and was used by quite a number of municipalities to go ahead with development of land for housing. In the last number of years, although the Act hasn't been changed to my knowledge, no approvals have been given by the ministry for that. They have instituted in its place an amendment to the Housing Development Act where you must have housing plans. Very few of them have them yet. So this is a deliberate attempt to give the municipality the opportunity, where they own the land, to proceed with subdividing the land and selling it off.

**Mr. Norton:** If I may just respond briefly to that. It's my understanding that there has been a fairly large number of approvals of housing policy statements for municipalities around the province. As I think the members opposite know, there are grants available to assist municipalities in the preparation of such housing policy statements. I think the hon. member is misinformed—and may be misinterpreted by other members of the House—as to what, in fact, is happening in this area.

I would point out that I think it is important that municipalities have the authority he suggests, and it's my contention that they do under the proper legislation that was enacted by this House. The other thing that I think has to be borne in mind is that surely any such development ought to bear in mind good planning principles. I think that the protections of the Housing Development Act are more consistent with that than what the hon. member is proposing to introduce into the Municipal Act at this time.



**Mr. Deputy Chairman:** All those in favour of Mr. Swart's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Shall this vote be stacked?

Agreed.

**Mr. Deputy Chairman:** Are there any other comments, questions or amendments to any other section of the bill? The hon. member for Waterloo North.

**Mr. Good:** No.

**Mr. Deputy Chairman:** Are there any further discussions? Does the hon. member for Kingston and the Islands have some comments?

**Mr. Norton:** I have an amendment to present, Mr. Chairman, to introduce section 12. The hon. members opposite have copies of this and have had for some time.

I'm sorry, apparently you do not have one yet. You ought to have had one last week.

Section 11 agreed to.

On section 12:

**Mr. Deputy Chairman:** I can read the amendment into the record.

**Mr. Deans:** It should be read into the record.

**Mr. Deputy Chairman:** Mr. Norton moves that the bill be amended by adding thereto the following section:

12. The said Act is amended by adding thereto the following section:

447(a) (1): Notwithstanding the provisions of any Act, no jurisdiction shall be granted or order made by the judge of any court (a) for the removing of an alteration or diversion made in a highway or for avoiding or setting aside any conveyance or proceedings by which a municipality has acquired land for diverting or altering a highway pursuant to a bylaw heretofore passed by the council of a municipality pursuant to this or any other general or special Act by reason only of the fact that the council failed to comply with the conditions mentioned in clauses (a), and (b) of subsection 1 of section 446.

(2) For the purposes of subsection 1, "municipality" includes a regional, metropolitan and district municipality.

(3) Nothing in this section affects or prejudices the rights of any person to a

claim for damages against the municipality in respect of such alteration or diversion.

(4) Nothing in this section affects the rights acquired by any person from a judgement or order of any court prior to the day in which this section comes into force or affects the outcome of any action, litigation or other proceeding instituted on or before the day this section comes into force and any such action, litigation or other proceeding may be continued and finally adjudicated in the same manner and to the same extent as if this section had not been enacted, and that the remaining sections of the bill be renumbered accordingly.

Any comments, questions?

**Mr. Swart:** Mr. Chairman—

**Mr. Breithaupt:** Mr. Chairman, before the member for Welland-Thorold speaks, might it be convenient for the parliamentary assistant to give us the reasons for this particular item? I understand it was a situation in the Ottawa-Carleton area that has brought forth this legislation.

**Mr. Norton:** Yes, Mr. Chairman, I would be pleased to do that. May I ask if the hon. House leader has a copy of this? There was one provided to his caucus and I'm not—

**Mr. Breithaupt:** I have seen the amendment but I don't have a copy before me at this point.

**Mr. Norton:** You will have one delivered to you momentarily.

**Mr. Breithaupt:** Thank you.

**Mr. Norton:** Mr. Chairman, the provisions of 446 and 447 set out the requirements that a municipality, when stopping up, establishing, laying out, widening or altering a municipal road, follow certain procedures—one of which is to hear any affected parties.

It has come to our attention, as a result of a recent case in the courts of the province, that in one particular case the region of Ottawa-Carleton was found to have failed to comply with the provisions of this section when making alterations to a road within their jurisdiction. As a consequence, it is my understanding that two things have resulted. In the first instance, the court granted an injunction requiring the municipality to remove the road improvements which they had made—I believe in that case it was building a median in the road. Following upon that, there are still, as I understand it, lawsuits before court in the amount of several hundreds of thousands of dollars.



As a result of the decision in that case, particularly at the first instance when the injunction was granted, the ministry has been contacted by a number of other municipalities about the province indicating that heretofore they had not been cognizant of the provisions of these sections and may well themselves stand in breach.

Bearing in mind that situation and the decision of the court and the request of the municipalities which were in this situation to—in fact, the request was more far reaching than the amendment we are proposing—the request in some instances went so far as to ask us to validate retroactively the procedures they had followed in introducing the bylaw for the improvements.

We felt that that was going too far. We did not want, in any way, to deprive citizens of rights which they might have or recourse which they might have against the municipality, which had acted outside the provisions of the Municipal Act, those particular ones set down in 446 and 447. As a result of that, in an effort to protect the rights of any citizen who might be or might have been injured or suffered damages as a result of such an act by the municipality and at the same time recognizing the public interest involved in having municipalities—we don't know how many but it would appear there might be many throughout the province—go to the public expense of removing road improvements or anything which might have come under the provisions of 446 and 447, after the fact, we have decided to introduce this particular amendment.

It would say, as you see before you, that when municipal bylaws have heretofore been introduced in breach of the procedure set down or have failed to follow this procedure set down in 446 and 447—I want to make it clear that it does not project into the future; we're not saying they can ignore it from here on in—we're saying when they have introduced a bylaw prior to the date of the enactment of this amendment and have failed to comply with the provisions, the court may not issue an injunction requiring them to tear up improvements they may have made at public expense by expending further public funds.

We are being very careful to stipulate that any person who may in any way have suffered damages as a result of such an act by the municipality—whether it be by raising or improving the curb in front of the home of an individual and failing to put in access or whatever it may have been—if they have suffered damages the right to seek

damages is protected. The only thing this would do—as I say it doesn't project into the future; it is only for those bylaws which may have been previously enacted in ignorance of the provisions or by neglecting to comply, in any event, with the provisions—the municipality will not be required to go to the public expense of tearing up the road improvements it might have made.

**Mr. Swart:** Mr. Chairman, we first must tell the parliamentary assistant that there are some difficulties in the situation that exists because of municipalities not following this section of the Act. Since the time you supplied this amendment to us we've had the opportunity to have some discussion on it and we feel we cannot support this amendment.

First of all, it limits what the judge might feel to be the right method of redress which would be to reverse the action of a council, for instance in closing a road, which can be very serious in some rural municipalities where people who may not live immediately adjacent to the road are greatly affected, adversely. Because a municipality didn't follow the Act they may have the right, as you say, of trying to collect damages which would be very difficult for them to prove. What they may need is to have the road reopened.

Therefore, we feel we should not limit the judge in what he may do in the way of ordering redress which may not necessarily be to open the road or to revert to the original situation, but he should have that option if he deems it is fair.

[7:15]

Secondly, I think that if the government feels it was not necessary to follow the provisions of the Act and the municipalities should be forgiven for not following it, then, in fact, the Act should be changed.

There may be some areas in which it should be changed, but I don't think we should pass this amendment which retroactively permits municipalities not to follow that rather important section of the Act which informs the public that these things are going to take place, without at the same time considering amendment of the Act, if you think the Act is not proper in the way that it is. I think either one or the other is the case. Either the Act should be amended or if it is a good Act, the municipalities should have lived up to it and they have to take the consequences for not living up to it.



I think too, it is rather a bad precedent. I'm sure the parliamentary assistant would agree with me on this. If we do it this time what happens in two years' time when other municipalities don't bother conforming with the Act and don't give the proper notices? Do we then have to do exactly the same thing? You've set the precedent of passing another amendment which would exempt them up to that time.

It is also a bad precedent I think, in other laws, not just this one. If municipalities disregard other sections of the Municipal Act which requires them to do certain things before they can pass bylaws then they will be inclined to ignore those and think they can get some special provision after the fact.

I think the municipalities have to take the responsibility. I say this as a person involved for a great many years and one who has a lot of sympathy with municipalities. They have to take the responsibility for following the Act as laid down by the government of Ontario. If they do not then they must expect to take the consequences.

Even though it might be done inadvertently, I don't think we can correct for councils not following the Act. The effect of this is to remove some protection to the citizens and the ratepayers of this province with regard to the closing up, altering, widening or diverting of roads. Where there must have been adequate public notice, adequate public notice was not apparently given. The Act was not followed and therefore we are retroactively removing some of the rights of those citizens and setting a precedent which could take away from them some of their rights in the future. And, therefore, we on our side cannot support this amendment.

**Mr. Good:** As I understand it, if this amendment were not here, the municipality of Ottawa-Carleton could very well be required to tear up the work they have done, publish their notices in a legal manner and ask for permission to do the same thing all over again.

**Mr. Swart:** It doesn't apply to Ottawa-Carleton. It's done.

**Mr. Good:** In the nine years that I have been around here, it seems every year we get at least half a dozen private bills, the effect of which is to legalize actions taken by municipalities across the province.

**Mr. Nixon:** The NDP always supports it!

**Mr. Good:** I would have thought this should have been in a private bill earlier this

session, as was the bill we dealt with last week, on a certain township whose name escapes me at the moment.

The saving feature of this bill, I think, is the fact that the individual is not deprived of his right to seek redress for any damage done because of the construction or because of the work that has already been done. Unless there are some other serious implications beyond what we understand here, I see that there is really no great difference between this legislation and much of the private bills legislation which has come before the private bills committee over the years.

The municipalities do act outside the provisions of the Municipal Act. I can think of one just the other year. Oxford county had land which they had no legal right to hold and we fixed it up by a private bill. You do it reluctantly and you ask—

**Mr. B. Newman:** That's right.

**Mr. Good:** —their municipal legal counsel and the municipal leaders to be more careful in the future.

In my own municipality the Waterloo-Wellington Airport Commission held land for 20 years which they had no legal right to own because there is no provision in the legislation for an airport commission to own land. So, we had to correct that by a private bill.

This is perhaps a little different, but I see no great purpose being accomplished to have the work torn up, as was required by the judge's decision, and then have the municipality advertise in the proper manner and probably go ahead and do the work all over again a second time.

As I say, the saving provision is that any individual harmed by this work would have access to redress. So, I would think it would be quite in order for us to support this as I say, unless, in the meantime, we find out that there is some other extenuating circumstance to this.

**Mr. Deputy Chairman:** Any further discussion on the amendment? Does the parliamentary assistant wish to respond?

**Mr. Nixon:** All in good time.

**Mr. Norton:** Very briefly Mr. Chairman. First of all, I would like to point out to the hon. member for Welland-Thorold that perhaps my comments were misleading although not deliberately so. But the amendment does not apply to the situation where there would be the stopping up of a road.

If you recall from my reading of it, or have a look at the copy before you, it applies only to the alteration or diversion of a highway. The specific example which you cited would not be one to which this would apply.

To the hon. member for Waterloo North: With respect to Ottawa-Carleton, it is too late to do anything there because they have already been faced with an injunction to remove the improvement and, as I understand it, have done so. They are at present as I understand it, before the courts facing something in the neighbourhood of \$800,000 in lawsuits in addition to the cost of having to tear up the improvements to the road.

I should think that the knowledge of that particular decision and seeing the magnitude of the lawsuits which have been commenced as a result of the municipality's failure, would be deterrent enough for those municipalities which might, in the future, be tempted to ignore the provisions of sections 446 and 447. We are saying that from this point onward, they must be cognizant of these things until such time as we have had an opportunity to review it completely. It is my intention to notify every municipality in the province of whatever the decision of this Legislature is and to invite from them any suggestions they might have as to how we might amend this section.

We have already had suggestions from some of the municipalities which are most acutely aware of it at this point. I think that to consider the changes is something we do not want to do under the haste and pressure of the end of a session of the Legislature, but we would like to have time to give it a more complete and thorough review.

We view this as an interim measure, simply saying that if they have acted without taking into consideration provisions of 446 and 447, prior to the date of the enactment of this legislation, then although they may still face lawsuits for damages from individuals who are affected, they will not also face the additional public expense of tearing up the improvements which they have just installed. That seems to me to be an eminently reasonable interim resolution to protect the municipalities of the province.

Some of them, as you are well aware, act with limited staff and limited access to legal advice and can quite understandably at times be unaware of such things. That's one of the principal reasons why I am going to encourage our ministry staff to contact each municipality, to point this out to them in

terms that I hope will bring it to the attention of those who have not yet been made aware of the decision in Ottawa-Carleton.

**Mr. Moffat:** That isn't what you said. You said you would—

**Mr. Norton:** I'll sign the letter.

Amendment agreed to.

**Mr. Deputy Chairman:** Are there any further comments, questions or amendments to any other section of the bill?

Shall the bill be reported as amended?

**Mr. Norton:** Mr. Chairman?

**Mr. Breithaupt:** Mr. Chairman, there is one—

**Mr. Deputy Chairman:** Oh, I am sorry, there was one stacked amendment of Mr. Swart's.

**Mr. Norton:** Mr. Chairman, in order to tidy up the bill in view of the passage of that amendment, I believe there ought to be one further one.

Sections 12 to 15, inclusive, agreed to.

On section 16:

**Mr. Deputy Chairman:** Mr. Norton moves that section 16 of the bill, now renumbered as section 17, be struck out and the following inserted in lieu thereof:

17(1) This Act, except sections 8, 14, 15 and 16, comes into force on the day it receives royal assent.

(2) Sections 8, 14, 15 and 16, come into force Jan. 1, 1977.

Any comments on Mr. Norton's amendment?

Motion agreed to.

Section 16, as amended, agreed to.

**Mr. Deputy Chairman:** Is there any comment on any other section of the bill? This concludes the debate on Bill 89, with the exception of Mr. Swart's amendment, which will be dealt with when the stacked amendments are considered.

#### DISTRICT MUNICIPALITY OF MUSKOKA AMENDMENT ACT

House in committee on Bill 101, An Act to amend the District Municipality of Muskoka Act.

**Mr. Deputy Chairman:** Are there any comments, questions or amendments to any



section of Bill 101, and if so, to which section?

On section 1:

**Mr. Swart:** Yes, Mr. Chairman. During second reading of this bill, I mentioned that we felt it should be amended in the same way as the other regional bills were amended. Bill 55 dealt with the other regional municipalities, which gave the right to the municipalities to pass a bylaw changing ward boundaries, or instituting wards or abolishing wards, subject to the approval of the Ontario Municipal Board, and subject to the right of appeal to ratepayers in that area.

We still feel this should be the case in this bill; and with that in mind I would propose to move that the bill be amended by adding thereto a new section 1, as follows:

"1. Section 3 of the District Municipality of Muskoka Act, being chapter 131 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following subsection 13:

Notwithstanding the provisions of this or any other Act, upon the application of an area municipality authorized by a bylaw of the council thereof, or upon the petition of electors in accordance with provision of section 13 of the Municipal Act, the municipal board may by order,

(a) redivide the area municipality into wards, shall designate the name or number each ward shall bear, and shall declare the date when redivision shall take effect,

(b) alter or dissolve any or all of the wards in the area municipality and shall declare the date when such alterations or dissolutions shall take effect, and

(c) vary the composition of the council of the area municipality, provided that,

(d) no order made under this section shall alter the total number of members who represent the area municipality on the district council, as provided for in this Act, and,

(e) the mayor of the area municipality shall continue to be elected by a general vote of the electors of the area municipality and shall be head of the council of the area municipality, and shall be a member of the district council, as provided for in this Act.

All other sections of this Act shall be renumbered accordingly.

**Mr. Deputy Chairman:** Order, please. The Chair would like to study the amendment

for a moment. It seems to me that this is introducing a new principle to the bill.

Does the hon. parliamentary assistant wish to speak to it? As I said, I think this is introducing a new principle to the bill.

[7:30]

**Mr. Norton:** Mr. Chairman, that was precisely the point on which I was going to rise on a point of order. It would appear to me that this deals not only with a principle which is not embodied in the particular bill before us but is not even a principle that is embodied in the original Act which this bill amends. Therefore, I would suggest that it would be out of order to introduce such an amendment.

**Mr. Deans:** Mr. Chairman, if it is the wish of the parliamentary assistant that this bill be made consistent with the other regional bills which went through the Legislature just last week we would be quite prepared to grant the unanimous consent necessary in order that this be proceeded with.

**Mr. Deputy Chairman:** It would seem to me that this does alter the principle of the bill. If the hon. member wishes to bring in a bill of his own at some point in the future I am certain that the Legislature and the committees would be glad to consider it.

**Mr. Nixon:** Give it every consideration.

**Mr. Deputy Chairman:** I declare the amendment out of order.

Are there any other comments, questions or amendments prior to section 6 to which Mr. Norton has an amendment?

Sections 1 to 5, inclusive, agreed to.

On section 6:

**Mr. Deputy Chairman:** Mr. Norton moves that subsection 5 of section 104 of the Act as set out in section 6 of the bill be struck out and the following inserted in lieu thereof:

(4) (a) Notwithstanding subsection 4, the district council may pay out of the fund established under subsection 3 such sum as it considers desirable to an area municipality to defray in whole or in part the expenses of such an area municipality in acquiring, establishing and maintaining a site for the purpose of receiving, dumping and disposal of ashes, garbage, refuse and domestic or industrial waste.

(5) None of the costs of the district council in exercising its powers under part

III-A shall form part of the levy under section 92 except as provided in subsection 4.

**Mr. Norton:** Perhaps, Mr. Chairman, I could comment very briefly on why this is being introduced. If you recall the original provisions of the legislation with regard to the pollution control fund that was set up, there was some question as to whether those area municipalities, which did not have requirements, for example for sewage services, could qualify for any assistance for landfill disposal sites or the disposal of garbage. In their opinion this was an environmental problem they had to contend with and a matter of pollution control.

So on the basis of a request from the municipalities in the area we have introduced this amendment so that at the discretion of the regional municipality they may make allotments of funds from the pollution control fund to those municipalities which require it for landfill sites etc., as well as to those municipalities which require assistance for installing sewers and other means of pollution control.

**Mr. Swart:** To pursue the question a little bit further, are there any municipalities within the district opposed to this? I can anticipate that because this is a broadening of the expenditure of funds there are some municipalities which have neither sewer services or don't have garbage collection or disposal—I am not sure whether there are or not—where there might be some objection to escalating expenditures and levying it across the whole district when they receive no service from it. Perhaps you could amplify on that. The principle seems sound but I would like to be assured of that.

**Mr. Norton:** Mr. Chairman, the matter was raised earlier by the hon. member for Welling-Thorold. Following his raising of the question, I contacted the member for the riding in which this municipality is located; it is my understanding that he has since contacted the people in the municipality once again and tried to determine whether or not that is the case and that he is aware at this time of no objection. I am certainly aware of none.

**Mr. Good:** Mr. Chairman, I would just like to correct a few things, at least in my own mind. The pollution control fund was raised district-wide by something like a quarter of a mill, I believe, on assessments. Sewage treatment is a district function, and they can levy their regular levies against the areas that are affected and receiving the

service. Is it correct, Mr. Chairman, that the parliamentary assistant now is asking that the pollution control fund be used in areas that have no sewage disposal and no sewage treatment plants, but do have landfill and industrial waste site requirements?

**Mr. Norton:** That's correct, yes. My understanding is that there are at least two municipalities in the district that are faced with rather severe problems in terms of trying to find suitable and appropriate sites; it is in order to assist them at this particular time, and perhaps others in the future, that this is being proposed.

**Mr. Good:** In Muskoka the collection and disposal of garbage is an area government function. Is that correct?

**Mr. Norton:** It is my understanding that there is an agreement between the area municipalities and the district calling for a co-operative effort in the area of garbage collection. I am not personally familiar with the details, but apparently there is a co-operative effort based upon an agreement that has been entered into.

**Mr. Good:** But the real basis of the amendment is to extend funds in the pollution control fund into the areas of establishment of waste disposal sites, whether they be for industrial waste or regular garbage. Is that correct?

**Mr. Norton:** Yes.

**Mr. Deputy Chairman:** Shall Mr. Norton's amendment carry?

Motion agreed to.

Section 6, as amended, agreed to.

Bill 101, as amended, reported.

#### CITY OF THUNDER BAY AMENDMENT ACT

House in committee on Bill 106, An Act to amend the City of Thunder Bay Act, 1968-1969.

**Mr. Deputy Chairman:** Are there any comments, questions or amendments to any section of this bill? If so, to which section?

**Mr. Renwick:** Mr. Chairman, unless my colleague from Thunder Bay has any reason to speak on the bill, I think we approved of the bill in principle on second reading. Is that correct?



**Mr. Angus:** The member for Kingston and the Islands has an amendment.

**Mr. Renwick:** I see.

**Mr. Norton:** Mr. Chairman, I have a motion respecting section 1.

On section 1:

**Mr. Deputy Chairman:** Mr. Norton moves that subsection 12 of section 1 of the bill be amended by inserting after "Thunder Bay" in the sixth line the words "unless otherwise agreed upon by the city and the commissioner."

**Mr. Deputy Chairman:** The hon. member for Thunder Bay.

**Mr. Angus:** Fort William, Mr. Chairman.

**Mr. Deputy Chairman:** Sorry; the hon. member for Fort William.

**Mr. Angus:** As much as we would like to be Thunder Bay, we are still Fort William in the riding.

My colleague, the member for Port Arthur (Mr. Foulds), and I have met with the legal counsel for both parties, and they find this amendment acceptable. In terms of finishing a six-year dispute between the two agencies, I think this is a very swift procedure and we will support it.

**Mr. Deputy Chairman:** Shall the amendment carry?

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 5, inclusive, agreed to.

Bill 106, as amended, reported.

#### PROVINCIAL PARKS AMENDMENT ACT

House in committee on Bill 104, an Act to amend the Provincial Parks Act.

**Mr. Deputy Chairman:** Are there any comments, questions or amendments to any section, if so, to which section?

**Mr. Yakabuski:** Before we move into clause by clause discussion, I have a minor amendment to section 1.

On section 1:

**Mr. Deputy Chairman:** Mr. Yakabuski moves that section 1 of the Act as set out in section 1 of the bill be amended by adding thereto the following clause:

"(C) District manager means the person in charge of the administrative district of the Ministry of Natural Resources in which the provincial park is situate";

And that the remaining clauses be re-lettered accordingly.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

**Mr. Deputy Chairman:** Mr. Yakabuski moves that the bill be amended by adding thereto the following section: "4. The said Act is further amended by striking out 'forester' where it occurs and inserting in lieu in such instance 'manager'."

And that the remaining sections be re-numbered accordingly.

Motion agreed to.

Section 4 agreed to.

**Mr. Deputy Chairman:** Shall the bill be reported?

Bill 104, as amended, reported.

#### LEGISLATIVE ASSEMBLY AMENDMENT ACT

House in committee on Bill 123, An Act to amend the Legislative Assembly Act.

**Mr. Deputy Chairman:** Are there any comments, questions, criticisms or amendments? I understand the hon. House leader is coming to the committee. Shall the bill be reported?

Bill 123 reported.

**Hon. Mr. Welch:** Mr. Chairman, that would seem to complete the work in committee of the whole.

**Hon. Mr. Welch** moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Acting Speaker (Morrow) in the chair.

**Mr. Deputy Chairman:** Mr. Speaker, the committee of the whole begs to report five bills, some with amendments, and asks leave to sit again.

Report agreed to.

**Hon. Mr. Welch:** Mr. Speaker, there are some third readings; perhaps we could proceed with them?



## THIRD READINGS

The following bills were given third reading upon motion:

Bill 100, An Act to amend the Municipal Conflict of Interest Act.

Bill 101, An Act to amend The District Municipality of Muskoka Act.

Bill 104, An Act to amend The Provincial Parks Act.

Bill 123, An Act to amend The Legislative Assembly Act.

Bill 106, An Act to amend The City of Thunder Bay Act, 1968-69.

[7:45]

**Hon. Mr. Welch:** Mr. Speaker, this perhaps isn't really in order at this time, but just by way of explanation: Now that we have finished the legislative programme, it was our understanding that following the question period tomorrow we would go into committee of the whole House and look after all the stacked votes that have to be dealt with. We would then come out of committee and do the third readings, and then resume the estimates of the Ministry of Health, if that's in order. We are going to go to estimates tonight to do the Provincial Secretary for Social Development, followed by the Premier and the Lieutenant Governor. Tomorrow morning at 10 a.m. we start with the Ministry of Health. I think that's the general programme.

**Clerk of the House:** The 14th order, House in committee of supply.

#### ESTIMATES, PROVINCIAL SECRETARIAT FOR SOCIAL DEVELOPMENT

**Hon. Mrs. Birch:** Mr. Chairman, the estimates of the Provincial Secretary—

**Mr. Peterson:** More enthusiasm.

**Mr. Deputy Chairman:** Order, please.

**Hon. Mrs. Birch:** The estimates of the Provincial Secretary for Social Development for 1976 amount to \$2,015,000. The budget really covers three quite distinct areas of activity, although it all appears under a single vote.

The smallest portion of the funds, to be exact, \$582,300, is for the policy secretariat itself. In addition, the four advisory councils which answer to the Legislature through me have a total budget of \$688,100. Since September of 1975 the Youth Secretariat, includ-

ing the youth experience programme, has been under my jurisdiction, and its 1976-1977 spending is estimated at \$744,600. The division of the budget in three portions is perhaps a tidy way in which to introduce the work of the secretariat.

What does the provincial secretary do? The question was asked as recently as last Monday by the member for Wentworth (Mr. Deans). It's a question that recurs in the Legislature nearly every time a member asks a question about a specific programme within one of the ministries of the social development policy field.

**Mr. Conway:** Now for the answer.

**Hon. Mrs. Birch:** For those members who cannot recall the ministries, they are Health, Education, Colleges and Universities, Culture and Recreation, and Community and Social Services.

**Mr. Peterson:** You mean you have to tell that unruly bunch what to do.

**Hon. Mrs. Birch:** The combined budgets of those ministries account for almost two-thirds of the Ontario budget, and they include scores of programmes of direct and indirect services to the people of this province.

**Mr. Conway:** That makes you a real power.

**Hon. Mrs. Birch:** You will note on the summary page of the printed estimates that the total estimated spending by the ministries in the social development policy field for the fiscal year ending March 31, 1977 amounts to more than \$7.5 billion. Let me repeat that: \$7.5 billion for social services.

Some of our critics would have you believe that it is not a caring government. To me, the expenditure of nearly two-thirds of Ontario budget for social services is proof of this government's concern.

**Mr. Conway:** Laura Sabia doesn't agree with you.

**Hon. Mrs. Birch:** Mr. Chairman, the role of a provincial secretary was defined by the Committee on Government Productivity, which laid the cornerstone for the development of policy fields. The report makes it clear that policy ministers are responsible for the development of policy recommendations affecting more than one ministry. But a policy minister does not have responsibility for, nor control over, programme management within the ministries. Indeed, it would be impossible to keep on top of each of the programmes within the five ministries included in the social policy field.

The policy secretariat, which operates with a small staff, has a major responsibility in identifying and initiating issues that transcend more than one ministry and often issues that spread over more than one policy field. The work of the four advisory councils, Mr. Chairman, has been very gratifying. As members of the Legislature are aware, the four advisory councils report to the Legislature through my office. They are the Ontario Status of Women Council, and the Advisory Councils on Multiculturalism, on the Physically Handicapped and on Senior Citizens.

**Mr. Conway:** Think you can get that vote back in Downsview?

**Hon. Mrs. Birch:** Council members bring a diversity of experience and background to their tasks and they have seen many of their thoughtful recommendations turned into action. I can think, for instance, of the positive response of the Ministry of Education to the Status of Women Council's concern about the sexual stereotyping in textbooks and in career counselling. And this government responded positively to the Advisory Council on Senior Citizens request for the extension of the free drug programme for all pensioners 65 years of age and over—

**Mr. Conway:** And Bill's trip to see the Pope.

**Hon. Mrs. Birch:** —and to the recommendations of the Advisory Council on the Physically Handicapped regarding the provision of services for handicapped residents in apartment-style settings. That same co-operation flows between the Ministry of Culture and Recreation and the Advisory Council Multiculturalism.

The expansion of the work of the Youth Secretariat reflects this government's concern for the young people and the problems they are facing in a very tight job market. One of the most innovative projects was the development of the Ontario Career Action Programme which was designed to give young people short-term work experience to ease the transition from school to regular employment.

**Mr. Conway:** That sounds good.

**Hon. Mrs. Birch:** The Youth Secretariat has been working with employers, unions, guidance counsellors, chambers of commerce and others in a practical effort in the co-ordination of career guidance for young people. The Youth Secretariat continues to co-ordinate the summer work programme. This year's Experience programme, which was set at \$10.3-million in February, was

enriched by an additional \$2-million in April. The \$12.3-million project is providing summer jobs for 9,100 young people in this province.

The work continues. There are new areas to explore and ongoing projects to finish. We are attempting to deal with the inequities built into our systems of care for our senior citizens and we are looking at the transportation problems faced by those who are physically handicapped. With constraints on spending, the co-ordination of services has become even more important.

**Mr. McClellan:** In the absence of our critic, the member for Cochrane South (Mr. Ferrier), who has been stranded by the air strike, I have been thrown into the breach. It's difficult to know what to say about this ministry, because it's such a mystery to us as we enter this estimate debate, as it was the last time around, what this ministry does, what this ministry is about, what there is about this ministry that justifies the expenditure of over \$2 million of public funds.

For the life of us, Mr. Chairman, we are unable to comprehend how any rational government could spend \$2 million with so little to show. There is not a shred of evidence that we can obtain with respect to co-ordination between the programmes of the ministries within the social development field. While I don't for a moment want to downgrade the role of citizen advisory councils to government, it is unacceptable to assume they are charged with a major role of policy formulation and development.

The record of follow-up, with respect to the recommendations of the various advisory councils, is fairly sordid. Am I correct in assuming the advisory council on day care was at one time one of the minister's advisory councils?

**Hon. Mrs. Birch:** No.

**Mr. McClellan:** No? It was always the Ministry of Community and Social Services? In that case, I will forgo flaying you with the responsibility for its sabotage and disbanding.

The Advisory Council on the Physically Handicapped has made a series of excellent recommendations with respect to transportation services for the disabled. That series of recommendations has disappeared long since into the mire of government red tape and buck-passing between the Ministry of Community and Social Services and the Ministry of Transportation and Communications. We still seem as far away from the coherent



programme to provide transportation assistance to the physically handicapped as we were before the advisory council undertook its long and useful deliberations.

There are gaps in policies that must be looked at. In the field of income security, this government seems to be at sea and adrift, yet the ministry that has responsibility for the development and co-ordination of policy recommendations does not seem to be remotely interested in entering what is probably the most important policy field at the present time, and that is the policy of this government with respect to income security. In view of the major federal-provincial review of income security and social support legislation that is taking place between the provinces collectively and the federal government, we find it absolutely staggering that the Social Development Secretariat has not moved into this area.

The absence of policy in this government is very evident. I asked the Minister of Community and Social Services (Mr. Taylor) last January if he would table before the House a statement of this government's thinking on the matter of income security in the review of the Canada Pension legislation. The minister replied that he would go in there with a statement of good old Tory philosophy and that would be that. I didn't think he was serious. I thought the minister wanted to keep his policy position on income security to himself, to play his cards close to the vest as he seems wont to do, little dreaming that when he said he was going to go in there like one of the good old boys and lay on a strip about Tory philosophy and nothing else he was dead right. He wasn't kidding, he was serious; that is exactly what he did. He made this province the laughingstock of the country with his know-nothingism at at the federal-provincial conference.

[8:00]

At the recent meeting of the Canadian Council on Social Development we had the extraordinary spectacle of the federal Minister of National Health and Welfare laying into the Province of Ontario for its irresponsible, nonsensical and obstructionist contribution to this major review of our income security legislation.

Mr. Lalonde, the minister—I think it's useful to read a little of this scathing indictment of your government's social development policy into the record.

He points out that the Province of Ontario has the largest resources of any govern-

ment in Canada and one might expect it to make a major contribution to the issue of welfare reform and on the question of the social development policy of this country, probably for the next 20 or 25 years. He says it simply did not do this. He points out the contrast with the other provinces—that Quebec, British Columbia, Saskatchewan and Manitoba made vigorous arguments with respect to a variety of policy options which were possible before us. He concedes that he disagreed often, particularly with Manitoba, Saskatchewan and British Columbia. That's to be expected. There are and there were fundamental disagreements, but he acknowledges their contribution. At least they had a point of view. They had something to say. They had clear and well-thought out policy positions on this fundamental issue and they argued them vigorously.

Mr. Lalonde went on to say:

To be brutally frank, the analytic power which Prince Edward Island brought to bear on our deliberations was substantially in excess of that brought to the table by Ontario.

As active participants in a useful dialogue, Ontario was nowhere to be seen. Their position, as they sat in isolated silence at the last welfare ministers' meeting, was then only a logical extension of their position during the review. Having offered no positive alternatives throughout, they decided to oppose the federal income support and supplement plan in principle at the end.

That was a ludicrous performance by the government of this province and you, as minister in charge of the secretariat responsible for developing social policy for the province, have to share in that opprobrium meted out to this province by the rest of the country. You have made us the laughingstock in the eyes of our colleagues in the other provinces and in the federal government. You have missed the opportunity, I hope not permanently but I suspect permanently, to make a contribution to one of the most important public policy discussions which has happened since the end of World War 2.

I agree with Mr. Lalonde's conclusion when he says the people of this province are entitled to more than that. There are people in both your ministry and the Ministry of Community and Social Services who could have made a substantial contribution to that debate. It is nothing short of a public disgrace that this government went in and stonewalled and, as Mr. Lalonde said, sat there in isolated



silence and exercised only its power of veto over the successive programmes. In the one instance when it bothered to do a detailed analysis of a policy option, it performed what you might call an autopsy in lurid detail on a proposal which was already dead and buried.

That was an opportunity you had in the field of income security in which you could have made a contribution but you did nothing.

In the work of the Advisory Council on Multiculturalism I have with me here—I want to say a little bit about this area because of its importance to us in this party, and in a more personal way because of its importance to my own constituents. Again, I don't downgrade the role of advisory citizen councils to government but one has to acknowledge, at times, their limitations and short-comings. They can't be seen as a substitute for government initiatives in policy development.

The Advisory Council on Multiculturalism has addressed itself to a number of problems which are serious problems; problems which I know the minister, the member for Brock (Mr. Welch)—I forget the name, the Ministry of Culture and Recreation—is deeply concerned about. I am afraid he won't get very much guidance from the report by the Advisory Council on Multiculturalism on a number of areas and it leaves the question of policy development, then, very much up in the air.

For example, the advisory council was asked by the Minister of Culture and Recreation to deal with the question of a grant policy for the province. It's a very thorny subject, a very complicated subject; I don't have any illusions about that. But it is insufficient to present, as your sole contribution to a policy discussion, something that is really as cursory as the report from the task group on grants. It is not going to be very helpful to the minister, I assure you. Unless you are prepared to supplement, in a serious way, the work of such citizens advisory groups as this, we are just wasting a lot of time and we are just wasting a lot of money.

This report of the task group on grants avoids completely the fundamental, constitutional question of Ontario's responsibility for the provision of immigrant settlement services. They don't even deal with that. And that is a pre-condition for getting an answer to the question; you first have to ask yourself the question. They just move ahead with a series of rather superficial statements, that make a lot of assumptions, that aren't particularly valid, and then come out with a rather confused proposal for five-year fund-

ing, which is probably the reverse of what it ought to be since it has the government picking up about 75 per cent of funding responsibility in the first year and tapering down to 25 per cent in the final year. Maybe that's their way of addressing the question of the responsibility of the Ontario government in the field of immigrant settlement services, and if that is their way of addressing it, they come out quite clearly and say that Ontario has no responsibility.

So that's simply not good enough. They don't address themselves to the question of how payments ought to be made, whether they ought to be made on a block-grant basis, whether they ought to be made, as the federal government is doing, on the basis of purchase for services. They don't develop usable criteria. In short, we are as much up in the air with respect to a grant policy and a funding policy at the conclusion of the work of this advisory council as we were when we started.

There is a rich opportunity for your ministry, with respect to the development of policy concerning native people. Surely no field in this ministry, in this government, has shown such total—can I ask, Mr. Chairman, if the background noise can be somewhat lowered?

**Mr. Johnson:** You have got to be sick, because there is no noise at all.

**Mr. McClellan:** You may not be able to hear it, but it is increasingly hard to hear from where I stand myself.

**Mr. Acting Chairman (McCague):** Would the members on the left side of the House please keep things down to a dull roar?

**Mr. McClellan:** Thank you, Mr. Chairman.

**Mr. Acting Chairman (McCague):** And on the right too, please.

**Mr. Samis:** Now we are getting somewhere.

**Mr. McClellan:** Thank you, Mr. Chairman, that was nobly done.

With respect to native people, no series of programmes have shown such a complete lack of co-ordination. Nowhere has there been such a total paucity of policy options. Nowhere has there been formulated Ontario's responsibility for the long-term economic development programmes that are necessary if our native people are to take their rightful place in our society. Nowhere is there anything but a record of fragmenta-



tion, of disco-ordination, of futility, as various and sundry ministries stumble all over themselves in what seems only to be a desire to avoid serving the native communities effectively.

I need remind you only of the meeting in Kenora on May 20 at which 12 federal and provincial ministries were present, along with 36 sundry senior civil servants, all stumbling all over themselves to explain and to excuse their failures to develop a coherent and comprehensive programme in northwestern Ontario over the last six years. Again, it's an opportunity that your ministry could have taken hold of to try to come to grips with the problem—such action is nowhere to be seen.

I will conclude the major decisions with respect to policy are still taken at the level of the individual ministries. The Ministry of Education develops what it wants to develop. The Ministry of Community and Social Services does what it wants to do. They even, in one of their documents, took pains to point out that the Social Development Secretariat under no circumstances would have anything at all to do with the area of services to the mentally retarded.

We can go through the field; I won't, but the record is very clear. This ministry is not a super ministry, it is a mini-ministry. It is a sort of big social planning council up in the sky which has its little advisory committees attached to it. They spend some \$2 million a year servicing their little advisory subcommittees. They do not fill a policy development role; they do not fill a policy co-ordination role. The ministry is superfluous at a time of constraint and cutback. It cries out itself to be constrained, to be cut back, indeed to be eliminated.

**Mr. Warner:** Resign.

**Mrs. Campbell:** Mr. Chairman, I must preface my remarks tonight by saying how deeply it pains me to be so critical of a ministry headed by a person who is non-male. I would like to be able to pay great tribute to this minister. Certainly there is no one in this House more committed to the role of women and to the advancement of women, on the political scene as well as in other places.

I have been here for some time now. The only social policy development that really has flowed from this ministry, apart from these council reports, were the infamous day-care recommendations. I don't think anyone in this province will ever forget the com-

plete unconcern, and I must say from my point of view the complete lack of understanding, of that whole field. Yet that flowed from this particular secretariat. Fortunately, we did have in this House a minister who had a conscience and an understanding, so the hideous effects of that policy were somewhat dissipated by the appointment of the task force to study these matters.

[8:15]

If I were to ask one question, I'm afraid my question would have to be: What do you do? From our point of view, you have not been able to answer questions in the House in the social development policy field, but have left those questions to be addressed to the line ministries within the secretariat or the field of policy development.

I had the misfortune to listen to the minister the other day, when she was replying to a question of my leader with a supplementary question from me. It is interesting that she stated that she didn't always agree with Laura Sabia. I can well understand it, because I think they operate on two completely different planes. At that time I asked her about the possible appointment of the minister's office manager as the new chairman of the Status of Women Council for this province. At that time, the minister said she had not made an appointment, not having received any resignation from Laura Sabia.

I have before me an article entitled "New Chairman Expected to Replace Laura Sabia." I regret that I don't have the date on it, but it was written by Judy Creighton, CP family editor. In that article she says—and please forgive me if I'm not correct in my pronunciation:

"Mrs. Tomljenovic said yesterday she expects to be appointed chairman since Mrs. Sabia made an announcement recently that she was stepping down."

It is interesting that the minister's office manager would give that statement to the press at a time when the minister herself will not either confirm or deny that appointment.

I would like to know what this lady's qualifications are. Frankly, I think most women in this province heartily agreed with Laura Sabia's position when she said, and I repeat, that "women's councils have become nothing better than pacifiers for government and ladies' clubs and political appointments, for instance for someone's campaign manager."

**Mr. Conway:** Resign. Shame.

**Mrs. Campbell:** It is surely apparent that this appointment, if it is to be made, is one which bears out what Laura Sabia has said.

The council itself, I suggest, was virtually precluded from the start from really being able to do as effective a job as it otherwise might have done, because there was no policy commitment to it; if there had been, there would be some decent funding attached to it. Notwithstanding that, I have to say that I think the council has done a very effective job, despite this policy ministry and not because of it.

[So far as the other councils are concerned, I am not going to labour the matter of the multi-cultural report, because I feel very strongly that the critic or alternative critic for the opposition has put the matter very very well. Quite often with these appointments it seems to me and it seems to the public that people are appointed who perhaps may be expected to bring forward that which is pleasant to the ear of the minister. I would certainly ask the minister to respond to that. Would she tell me what is her understanding of the problems of multi-culturalism? She must have a policy in her mind, other than somebody else's report. She must have a position that she takes on the status of women—

**Mr. Samis:** Don't count on it.

**Mrs. Campbell:** —other than appointing her own political appointee to chair the council.

**Mr. Conway:** Her whole purpose of it.

**Mrs. Campbell:** She must have some opinions on something dealing with social development policy.

**Mr. Warner:** Don't bet on it.

**Mrs. Campbell:** Yet, with respect, I have yet to hear her voice any opinion or any policy, other than through the daycare fiasco, since I have been in this House. We have had statements about these councils, we have had statements about what other people think or do, but we don't have anything flowing from the ministry itself.

I am not going into the matter of what the hon. Marc Lalonde stated, but doesn't it strike this minister that it is rather a tragedy and rather an indictment of her as a policy minister that this province is spending less than any other province in Canada, save Nova Scotia, in the social development field?

Doesn't it strike her, as it is her responsibility, that we are not developing any preventive services? Does she not, as a person formerly active in the community, understand that perhaps we are spending far too much on those mandatory services because we don't find the funds to prevent the very things that we are trying to prevent? Prevent poverty, prevent all of these problems of children in our community—those are the programmes which cost less in dollars, but the lack of which costs infinitely more in social disease, social poverty and the whole bit.

Where is this ministry developing policy? We see social development as a kind of rudderless ship that goes here and there and all over the place.

**Mr. Eakins:** A headless horseman.

**Mrs. Campbell:** It really never comes to grips with the needs of the people in the community. Where is this policy ministry in explaining to the people of this province why we are one of the few provinces in Canada that require the municipalities to participate in financial arrangements for welfare? What is the minister's position on that? Does anyone know? Has she ever explained it to anybody? I would like to hear from her on that score.

I am not going to take more of the time of this House. I simply have to say again, with the sincerest regret, that I don't find this ministry one which ought to have moneys allocated at a time of restraint. I think it is a useless waste of dollars. I can only say that if there is some justification for it other than regurgitating what other people say, I would like the minister to answer, from her own philosophical point of view, the questions which I have put as to her policies and their proposed development. Thank you, Mr. Chairman.

**Mr. Warner:** She should resign.

**Mr. Acting Chairman (McCague):** Does the minister wish to respond to the opening statements?

**Hon. Mrs. Birch:** Yes, I think perhaps I had better. I don't think there is too much time left and of course I would like to respond.

I don't think, with all due respect, that the hon. member for Bellwoods (Mr. McClellan) was listening too clearly when I defined the three portions identified in the \$2 million. It is not just the Youth Secre-



tariat, it includes the work of the Youth Secretariat as well as advisory councils.

**Mr. McClellan:** I understood that, of course.

**Hon. Mrs. Birch:** Well you didn't appear to in your comments.

I would also like to point out how very disappointed I am in your comments about the advisory councils and the work that they are doing. In answer to your comments, and the comments of the hon. member for St. George (Mrs. Campbell), I think it is a very poor reflection on the people who make up those advisory councils. As I am sure you are aware, they are representatives of all political persuasions. They are representative of all regions of this province, and indeed they are making excellent recommendations upon which this government is taking action.

I have only to point out, for example, one particular council, the Advisory Council on the Physically Handicapped. Although the latest council to come into being, in 1975, as a matter of example it has already made six recommendations, five of which are being enacted. I think those are very important recommendations to the people who are physically handicapped throughout this province.

**Mr. Philip:** Which ones?

**An hon. member:** Tell us about the blind.

**Hon. Mrs. Birch:** Yes; the Blind Persons Rights Act, which was a recommendation of that particular council, is now legislation. There is also housing for the physically handicapped on which there were recommendations. You are all aware that there are three projects under way at the moment in providing accommodation for physically handicapped people.

This, again, came as a recommendation from this group of people serving on a council, the majority of them physically handicapped people themselves who have lived with those handicaps for years and years and who know better than any member of this government, any civil servant anywhere within this government, what it's like to be physically handicapped in this day and age in the Province of Ontario. They have made very reasonable recommendations of which we were very appreciative and we are endeavouring to bring them into being so they too can begin to enjoy what so many of us take for granted.

**Mrs. Campbell:** You are following the city of Toronto's recommendations.

[8:30]

**Hon. Mrs. Birch:** These are recommendations from our own council; and of course the staff person was involved in that as well.

Further, the physical modification of housing units was just announced by the Minister of Housing (Mr. Rhodes) whereby people who are physically handicapped and living in their own homes are entitled to dwelling modifications, such as stairways and other architectural benefits that will help them to enjoy life more fully in their own homes.

And then there is our involvement in transportation for the physically handicapped. I might add that this, again, is an area where for too long the people who are handicapped in this province have been denied facilities that the rest of us just take as a right.

**Mr. Samis:** Why don't you act on it?

**Hon. Mrs. Birch:** The transportation for the physically handicapped report was at the policy field level last week. It was sent along to cabinet with recommendations and there are pilot projects that are going to be initiated immediately.

But again, it is going to be a parallel service. It is not going to be a social welfare programme, it is going to be a parallel service with the kinds of transportation policies the rest of us enjoy. We are trying some pilot projects to determine just where the need is the greatest.

**Mr. R. S. Smith:** Where are the capital grants?

**Hon. Mrs. Birch:** So that is another area in which I feel one of the councils has certainly zeroed in and found out the real needs of handicapped people of this province. I am assured that they will be continuing to bring forth recommendations until everyone who suffers from some kind of handicap in this province has the same rights and privileges the rest of us enjoy.

**Mr. McClellan:** When will the programmes start?

**Hon. Mrs. Birch:** Almost immediately.

**Mr. McClellan:** Will there be an announcement?

**Hon. Mrs. Birch:** Yes, there will be.

**An hon. member:** She just announced it now.

**Mr. B. Newman:** How about working on the Minister of the Environment (Mr. Kerr)?

**Hon. Mrs. Birch:** The only recommendation that has not been acted upon, and it is under consideration at the moment, is the provision of assistive devices for disabled persons. That recommendation is with the Ministry of Health and it is being considered; I am very hopeful that it also will be approved.

So you see, the councils do have a role to play. The councils are made up of people with direct interest in the problems. As I say, on this particular council if they are not physically handicapped people they are then people who have worked with handicapped people and know their needs.

So I am very delighted with that particular council. I find that the money spent in honorariums and expenses for that council and the other councils is certainly well worth the money spent.

Now the member for St. George—and I'll jump around a bit—has made reference to the daycare report the secretariat announced as policy in this House—I guess it was in June of 1974. That, of course, was a recommendation of policy coming out of a study that had been ongoing for two years within the secretariat. It had had the benefit of some 36 different groups involved with children's services, and they had every opportunity at that time to make comment.

The policy, as you are well aware, was not favourably received by those who are involved in the provision of daycare services. When one considers the amount of money that is required to provide day care to all those children who require it, perhaps in the long run someone will acknowledge there was a great deal of common sense in that policy, and perhaps some day that will be acknowledged?

**Mr. Conway:** What do you think of Laura?

**Hon. Mrs. Birch:** And of course I can't let the member for St. George's comments about the Status of Women Council go unanswered. I thought I had answered the questions in the House the other day very explicitly on the matter of Mrs. Sabia's resignation.

The council under Mrs. Sabia has only been in operation a little over two years. During that period of time, and particularly within the last year, Mrs. Sabia has often announced to the press that the council no longer had anything to offer and that she herself was resigning. But at no time was

an official resignation ever received by the Premier (Mr. Davis) or by myself.

The resignation that we refer to was made, apparently, two weeks ago, as the council was meeting, when she announced to the press that she was resigning. A copy of her resignation just arrived in my office yesterday.

**Mrs. Campbell:** When can we expect the announcement of the appointment of her successor.

**Hon. Mrs. Birch:** The announcement of that appointment will come from the Premier's Office. I would suggest to the hon. member that it's the Premier's prerogative to name the chairmen of all the councils; it would be entirely up to the Premier to make that judgement.

**Mr. R. S. Smith:** You have no input at all?

**Hon. Mrs. Birch:** I personally would feel very disappointed if, in fact, he did not appoint Mrs. Tomljenovic as the chairman of the Status of Women Council, because observing her over the years that I've known her, I believe her to be very qualified.

**Mr. Conway:** Mrs. Dunlop—

**Hon. Mrs. Birch:** I believe she would do an excellent job representing the average woman across this province. So I again reiterate that I think that the vice-chairman of the Status of Women Council would indeed be an excellent chairman.

**Mr. Conway:** What do you think of Laura?

**Hon. Mrs. Birch:** I question again the words "of qualifications." What kind of qualifications does one require to be the chairman of the Status of Women Council?

**Mr. Conway:** Tory!

**Hon. Mrs. Birch:** Not necessarily, but that is a good one.

**Hon. Mr. Parrott:** That would help everybody.

**Mr. Conway:** Can I nominate Lorne Henderson or Mrs. Keith Norton?

**Mr. Moffatt:** Does he know something we we don't, Keith?

**Hon. Mrs. Birch:** You also have referred to the fact that during the council's lifetime that often I have not agreed with what the chairman of the council had to say, but again I have recognized the fact she was quite at liberty to express her own feelings and her



own views. Of course that is the prerogative of all the members of all the councils and I think it would be very unseemly of me to impose my viewpoints on any member of the council. In fact that's what we're looking for, viewpoints outside of the government from the many citizens who do have a great deal to offer in this capacity.

**Mr. S. Smith:** You already get those from Mrs. Tomljenovic.

**Hon. Mrs. Birch:** So I really feel that all of the members of the council have done an excellent job and I don't feel I have to apologize, either for the amount of money that is spent on council members or for the work that they have been able to provide and the recommendations they have brought to government. I'm very proud of all the council members and their contribution and the recommendations they have brought forward.

There has been reference, of course, to the comments of Mr.—

**Mr. Conway:** What do you think of Laura? What do you think of her contribution?

**Hon. Mrs. Birch:** I think she has made a very good contribution.

**Mr. Conway:** Have you ever thought of—

**Mr. Deputy Chairman:** Order, please; order. I wonder if the hon. members would permit the hon. minister to continue her remarks and then we will go into a question period.

**Hon. Mrs. Birch:** There have been several comments with reference to the statement made by Marc Lalonde. I would just like to point out to the hon. members that, yes, Ontario did go to Ottawa with a viewpoint and Ontario did attempt to ask the federal minister not to discuss the issue of income security review until such time as the first ministers had met, because at no time were we given an indication of how much money this was going to cost the provinces.

I might also add that regardless of what Mr. Lalonde has said, either at the recent meeting of the social policy group or to the press, that indeed most of the provinces took the same view we did and were very concerned at the lack of financial information that was available to us. Indeed we were not the laughingstock. We were joined by many of our sister provinces in taking that same attitude. Regardless of what Mr. Lalonde had to say, I think that if you had an opportunity to—

**Mr. McClellan:** He's not the only one who said it.

**Hon. Mrs. Birch:** Well—we happened to be there and we know what happened.

**Mr. Maeck:** He's never said anything important yet anyway, Margaret.

**Hon. Mrs. Birch:** No, I don't think so either.

**Mr. McClellan:** This is the one exception.

**Mr. Maeck:** Never, never.

**Mr. Deputy Chairman:** Order.

**Hon. Mrs. Birch:** You also made reference to the lack of policy with regard to native people. I can only point out to you that you're aware as well as I am what a complex problem this is in trying to meet the needs of the native people of this province. Nevertheless, I think this government is attempting in every possible way to co-ordinate the services and to provide the kinds of services the native Indian people require.

To those ends, of course, the Minister without Portfolio and Chairman of Cabinet (Mr. Brunelle) has been appointed the co-ordinator and our secretariat is represented—our deputy minister is a member—on that committee. I expect that over the next few months, if there's not too much intervention on behalf of the members of the opposition in creating problems, perhaps we may find some of the answers, finally, and be able to help.

**Mr. McClellan:** What are you suggesting?

**Mr. Conway:** A select committee?

**Hon. Mrs. Birch:** I'm suggesting that if the committee is left alone and left to work with the native Indian people themselves perhaps some answers may be found for the great many problems that exist.

**Mr. Warner:** It hasn't happened in 30 years.

**Hon. Mrs. Birch:** They are not easy to solve; there are other jurisdictions involved and that makes it very difficult, but I am certain that the committee, under Mr. Brunelle, is finally going to be able to resolve many of these issues. I would just hope for and encourage the support of the opposition members.

**Mr. Warner:** You have had years to do something.



**Hon. Mrs. Birch:** The member for St. George, I guess, is not interested in the answers. She wanted to hear my own personal philosophy, but obviously she really isn't interested in hearing it.

**Mr. G. I. Miller:** It will be in Hansard.

**Mr. Conway:** Collectively, we will tell her.

**Hon. Mrs. Birch:** So I will just refrain for now and perhaps at some other time, when the member stays in the House, I will let her know about my personal philosophy.

**Mr. R. S. Smith:** We didn't think you would be so long-winded.

**Mr. Conway:** Don't deny my interest.

**Mr. Deputy Chairman:** Order, please.

**Hon. Mrs. Birch:** I think perhaps, unless I have missed a point other than my own personal philosophy, I will just allow any other member who might have some comments to make them.

**Mr. Deputy Chairman:** Before we recognize the hon. member for Beaches-Woodbine (Ms. Bryden) we might decide as a committee how we're going to deal with these expenditures. It would be my suggestion that we deal with them item by item rather than collectively. Is that agreeable with the committee?

Very well; we'll start with social development policy item 1 of vote 2501. The hon. member for Beaches-Woodbine.

On vote 2501:

**Ms. Bryden:** Thank you, Mr. Chairman. I certainly find it difficult to support a vote of \$600,000 when you include the provincial secretary with the \$582,000 for social development policy, an activity which according to the estimates is supposed to be responsible for development and co-ordination of policy in this field. I fail to see in what way she has co-ordinated policy.

For instance, where is the co-ordination between the Ministry of Community and Social Services and the Ministry of Health in keeping people out of hospitals; in providing community facilities to enable home care for convalescent patients, and for psychiatric patients who might be released into the community, if there were services for them when they got there?

Where is the co-ordination between the Ministry of Colleges and Universities and the youth employment programme, since OSAP

regulations for grants are calculated on the assumption that students will get summer jobs?

**Hon. Mr. Parrott:** Would you have us exempt them?

**Ms. Bryden:** The shortage of summer jobs is a disaster this year for many students, because failure of the federal and provincial governments to stimulate the economy has caused a drying up of jobs in the private sector. It is, therefore, the responsibility of the Youth Secretariat to respond to this cut-back by increasing summer jobs for students generally. I recognize there has been an increase but it has been minimal.

**Hon. Mr. Parrott:** It is 43 per cent; that is hardly minimal.

**Ms. Bryden:** It certainly isn't meeting the need.

I'd like to ask the minister how many applications were received for Experience '76 and how many of those people have obtained jobs? Where is the co-ordination between Culture and Recreation and the Youth Secretariat in regard to activities for young people? Young people are among the groups in our society which have very little political voice, particularly with the government, which is aging and which seems to represent the generation gap.

[8:45]

The young people, at the beginning of the season or the first long weekend, like to get into the outdoors and celebrate spring-time festivals, but this ministry, instead of making facilities available for them for such activities, is co-operating with municipalities which are restricting campgrounds for them. It is sending the OPP in to break up their legitimate activities. I have a constituent who had paid his way and was on a campsite. He was minding his own business. They were having a little music, maybe drinking a bottle of beer around a campfire, but they were doing nothing that was illegal.

**Mr. Conway:** Oh, shame.

**Mr. S. Smith:** Mr. Chairman, this is Ontario, please!

**Mr. Conway:** The Red scare.

**Mr. Deputy Chairman:** Order, please.

**Ms. Bryden:** The OPP came in and evicted them, on the night of May 23, without any reason being given.

### Interjections.

**Mr. Deputy Chairman:** Order, please. The hon. member for Beaches-Woodbine has the floor, would you have the courtesy to listen to her comments.

**Mr. S. Smith:** Terry, what are you going to do about that?

**Ms. Bryden:** I think the secretariat should be looking at ways of developing recreational facilities, for young people with adequate supervision, so that in all provincial parks, as in other places, the lawbreakers would be looked after by the police but the ordinary people who just want to have a good time would have the facilities and not be harassed.

**Mr. Conway:** Stamp out that singing.

**Ms. Bryden:** Mr. Chairman, I could go on as to the lack of co-ordination and the lack of policy development, but I also want to ask about the priorities of the secretariat. For instance, the funding of the Canadian Council on Social Development, which just held a very important conference in this city at which various speeches that have been referred to were made by Mr. Lalonde and by Mr. Taylor, Ontario's Minister of Community and Social Services. That organization relies on government grants to carry out its very valuable research. The Ontario government has been giving it a grant in the past, as have all other provinces. This year seven out of nine provinces have responded to the needs of this organization by raising the grant by 10 per cent, just to allow for inflation. Of the other two provinces, one hasn't yet replied and the other has not added the 10 per cent.

The richest province in Canada, Ontario, has refused a 10 per cent increase to this organization. That, in effect, means it has cut its grant, because there has been inflation, as we all know. It seems to me that if the minister goes and speaks to an organization of this sort and supports them publicly in his speech, and then comes back and refuses to increase their grant, he is being hypocritical.

Another organization this government has refused to fund—I'm just giving two examples or three examples to show their priorities—another organization they have refused to fund is Silent Voice, an organization which tries to integrate deaf people, both young and adult, into the community. It enables them to feel at home, to solve prob-

lems and to develop skills before becoming part of the community.

A third organization which has been refused help is in my own riding, the Beaches Lions Club, which was ready to organize a daycare centre for emotionally disturbed children. It has been working on this since 1972. It's prepared to do all the renovation and provide all the facilities. All it needed was an operating grant to carry on the operation. The ministry agreed there was a need for such a facility in this section of the city of Toronto, but has refused any grant.

These examples indicate priorities; I fail to see that the secretariat is attempting to change any of those priorities or to bring into effect what might be called a progressive social development policy.

The provincial secretary mentioned pilot projects which were coming up for handicapped citizens. They already have a pilot project in Ottawa and Toronto, I understand, and it seems to me that we are past the stage of pilot projects. We know the needs. Such programmes have been operating in the United States for some time and there is no reason for us to put in another pilot project. To me it sounds just like a token project.

**Mr. McClellan:** We need programmes.

**Ms. Bryden:** I know we will be coming to the councils in a minute but I want to say that I think the Status of Women Council is another agency the future role of which the ministry should be considering very carefully.

Under Laura Sabia it has done invaluable work. She has been really outspoken and a tremendous influence in drawing attention to areas in which women suffer serious discrimination in our society. But if it continues to speak to a deaf ear in the government its usefulness will decline.

[It has made very strong recommendations in the field of daycare, as has the advisory committee on daycare. It has made very strong recommendations about upgrading the opportunities for women in the public service and most of these are still a long way from any implementation.]

I can understand the council beginning to feel that it is there for window-dressing purposes only. I think we should very seriously question whether its role should not be enlarged and its influence increased. I think those are all the questions I have, Mr. Chairman.



**Mr. Samis:** I was on your side.

**Mr. S. Smith:** I wanted to share a few thoughts with the minister with regard to the whole concept of having a ministry which could co-ordinate the activities of Health and Social Services in particular, although I realize that her realm, in theory, extends beyond that.

There are so many matters which have to concern a thinking person in Ontario today and in which the problems seem to be, at least in part, due to the boundaries that exist between the various ministries. I wasn't in politics at the time but when I heard that policy development secretariats and co-ordinating secretariats were being set up I was rather pleased because I saw this as having the potential actually to deal with some very thorny problems in which more than one ministry happens to be involved.

Frankly, I have been very disappointed because I don't believe that this minister's secretariat has effectively come to grips with the need to co-ordinate Health on the one hand with Community and Social Services on the other. I might, without reaching the point of boredom, I trust, touch on one or two points, where I think this could have been achieved and hasn't been achieved.

Let me mention, first of all, the whole matter of group homes—the non-institutional type of care located in a community where one of the principles is that the peer relationship between various people receiving the treatment and the structure required therein is an important part of the rehabilitative process. We are seeing in our time a move away from institutional care. We are seeing in our time a move away from the expense and the institutionalism that occurs when we put large numbers of people into large treatment facilities.

The trend is certainly, and it should be, toward group homes, half-way houses and various rehabilitative attempts in the community itself rather than away from the community. This province should be taking the lead in developing a coherent philosophy about group homes; a coherent inventory on the kinds of people presently being treated and dealt with in group homes and the kinds who might potentially be dealt with there.

This province could be taking a lead in the costing of these group homes as opposed to institutionalization. Instead, what we see are four separate ministries dealing in group homes, mostly Community and Social Services but also, as the minister knows, Correctional Services, Health and, to a very minor

extent, Education. There is good reason to believe that the type of person treated in these various group homes really does not differ very much from ministry to ministry. There are some differences, of course, but they are not very striking compared to the differences in budgetary arrangements between the ministries, the differences in licensing arrangements, the difference in inspection and, of course, the general difference in terms of finance.

I feel that one of the things that this minister should have been doing is coming to grips with the matter of the various non-institutional arrangements which I group under the name "group homes," even though some of these semi-institutions may not fit exactly under that. We should have had a philosophy and a set of criteria which would apply across the board so that we wouldn't find ourselves in the shocking situation where, for instance, Browndale can charge \$64 or \$65 a day and convince people that they are getting a bargain, because they compare that with the rates—

**Mr. Lawlor:** Browndale is an obsessional matter with you.

**Mr. S. Smith:** My goodness, I touched a nerve there. I have disturbed the member's sleep; I apologize to him.

**Mr. Deputy Chairman:** Order.

**Mr. Lawlor:** You are one of the very few people around here with an obsessional demeanour.

**Mr. R. S. Smith:** The hon. member doesn't even know what my leader is talking about.

**Mr. Deputy Chairman:** Order, please. The hon. member for Hamilton West has the floor.

**Mr. Lawlor:** Is Browndale an obsessional neurosis, doctor?

**Mr. Deputy Chairman:** Order, please.

Interjections.

**Mr. S. Smith:** Mr. Chairman, I may be an expert in the jargon, but I'm sure the hon. member is an expert in the neurosis itself, so I certainly yield to him.

**Mr. Lawlor:** We have other neuroses, thank you.

**Mr. S. Smith:** It is quite pathetic that we should have a situation where something like Browndale could claim that \$65 a day is a bargain when, for instance, as the minister



knows very well, the type of child referred to Browndale is frequently no more disturbed, and even less so, than many of the children taken care of in some of the other group homes around the Province of Ontario.

Interestingly, the group homes under the administration of Correctional Services and Community and Social Services are, in my view, giving Ontario good value for the dollar. There are one or two instances we might question about the licensing and so on, but generally they are giving good value for their dollar. Yet your ministry really has failed to take advantage of their experience. In the realm of health, the separation between Health and Social Services might as well be a 10-ft wall, because you are not bridging that gap; you are not bringing them together under one philosophy; you are not a minister of human resources, as you should be. Instead, you are standing back and watching these various solitudes exist and go their own way. The chaos which has resulted is directly attributable to the fact that you have not co-ordinated between them.

What you have done is you have obtained an interministerial report, a task force report, which deals with this matter—and I have reason to believe it deals with it rather effectively—but you have suppressed that report. That report, the Anderson-Magder report, has been done for several months, and you have suppressed that report. If you say you haven't, then the ministers under you have. Part of your job is to take interministerial reports and make them public so that we can see the advantages of a co-ordinating secretariat, a policy secretariat. Instead, you sat back and dealt with some of your advisory councils and so on—and I'm not here to knock them—but you haven't done anything to draw together the disparate activities of a related nature among the various ministries.

Let me give you another example. You know very well that acute hospital beds are tremendously expensive, and we know the difficulties this province has undergone recently as the Minister of Health (Mr. F. S. Miller) has tried to deal with those in a way which we needn't go into here at any length. But homemakers' services, which in themselves can serve to reduce the pressure on acute hospital beds, come under Community and Social Services; again, there has been no real effort to deal with these in a co-ordinated fashion.

[9:00]

The same goes for old age homes and nursing homes; the old age homes under ComSoc and the nursing homes under Health. The

fact is, any backup which occurs in one of these is going to be transmitted one way or another, directly or indirectly, into the other. It will be backed up in the social system and backed up into the health system where it is usually extremely costly and very wasteful.

You haven't done the job which needs to be done. I don't say it is a simple one. I don't say this is a personal attack on you. Your ministry has not, in fact, taken hold of these borderline areas where the one field spills over into the other and come up with a co-ordinated, sensible approach which could be grasped and understood by all levels of government.

I might mention mental retardation as another typical example. As you know, mental retardation was plucked from the Ministry of Health and put into Community and Social Services. I am not quarrelling with that, I think it has some merit. But even then people in the field understood there are certain health aspects to mental retardation, not the least of which was the one we hear about in a somewhat sensational way lately, namely the fact that only in the health field are you entitled to hospitalize someone against his will due to mental incapacity or being a danger to himself or others. Once you take these people out of the health field, there is no longer any mechanism for hospitalizing somebody against his will.

The field of mental retardation happens to straddle very neatly the border between the areas of health and social service. You need some of the aspects we normally apply to mental illness to apply also to mental retardation, while at the same time not defining them as the same.

That requires co-ordination and you haven't done that. We are left with a mental retardation policy which, even without going into it in detail, because that should more properly be done not in your estimates but in those of the Ministry of Community and Social Services, but in this particular aspect it fails miserably.

It fails because of the aspect which requires that someone straddle the fields of health and social services to bring together the concepts which are germane to mental retardation in each of those areas. By not doing that, by saying it either must be black or it must be white, we now find ourselves with a situation where we have the sad events of Huronia. We have a full mental retardation programme called into very unfortunate question at a time when we should be gaining community co-operation, not frightening the daylights out of people.



That, again, is because of this holus-bolus idea. You are either Health or you are ComSoc; which one are you going to be? One shouldn't have to choose. It should be possible—and your secretariat is the organization that I thought might have been able to do this, your co-ordinating ministry should have been able to do this—it should be possible to find a way to co-ordinate between health and social welfare in the old sense.

I don't want to go on at great length. Your advisory councils, I think, have some merit. I am very concerned, however, about the appointment of your campaign manager as chairman of the Status of Women—

(Interjection.)

**An hon. member:** Shame.

**Mr. S. Smith:** Well, whatever she is.

If you want to know how to go about choosing people for these posts and not be accused of this sort of political nepotism, then what you have to do is simply call for applicants or nominations. Leave it open to the various interested groups to make suggestions to you and give some reason and logic for your choice when you make it. But to just have an arbitrary decision made on the basis of the fact that, according to you or the Premier (Mr. Davis), some particular helper of yours is a typical housewife or something like that, that is not a good enough reason to make somebody a chairman.

Call for applications, call for nominations from interested parties.

(Interjections)

**Mr. S. Smith:** This is what your government has long been criticized for. Most of you over there have a second salary. You criticize people on this side when they want a decent wage, but most of you have a second salary. When you leave the cabinet most of you end up in some government agency or on some government board.

It is true. Why take something like the Status of Women Advisory Council and lower it in this way? If she can compete with others fair and square and win, fine; I won't hold it against her if she is a Tory or is your helper or friend, that is not to be held against a person. But let her compete fair and square, in the open with other nominees. That's the real problem you have over there and you fail to recognize.

**Mr. Samis:** The old free enterprise way.

**Mr. S. Smith:** May I question just one point with regard to your multicultural council?

I was fascinated by the report that came out this year, particularly the part that has to do with the way in which French and English are being taught, not to ethnic groups but to anybody in this particular province at this time. The criticism, with which you may be familiar, points out how the University of Toronto people are entering without being able to form proper sentences or write proper English papers. This, I'm sure, is something shocking to the Minister of Agriculture and Food (Mr. W. Newman), he gets very very upset about this.

**Mr. Samis:** Hang on, Bill, the best is yet to come.

**Mr. S. Smith:** Further, there is the matter of the teaching of French in this province being so dreadfully neglected.

Now the multicultural advisory council brought that out to you and I want to know whether you told the Minister of Education (Mr. Wells) what these people feel? Those who came seeking other mother tongues are shocked at the way we Ontarians teach ourselves English and French; they are worried that the teaching is so bad it is going to jeopardize the chance of their kids to actually make a go of things in this life. That's how shocked they are at the way in which English and French are taught in this province at this time, at the fact the standards are so low.

I realize I will be accused of elitism if I suggest we should have standards that are measurable and that we should strive for excellence, because the great proponents of egalitarianism on the right over here will tell me that this is complete elitism. The fact, however, is that the way English and French are taught in the Province of Ontario is a shocking thing to anybody who looks at it. Your own council tells you that and I wonder what you're going to do about it.

I would just sum up: The main point I want to make is that I wish the minister would understand that her real job is not just to sit around looking at reports on youth secretariats and advisory councils.

Her real job is to co-ordinate health and social services, that's really the problem at stake in this province. These huge budgets are in what they would call in football in a zone defence, but the seams between the various defenders are huge. There are gaping holes in the ability of our government to deal with the problems that face us in health and social services. This secretariat ministry, I'm afraid, has done nothing to straddle and co-ordinate, other than perhaps the press reports

from time to time, to straddle and co-ordinate between health and social services.

**Hon. Mrs. Birch:** Mr. Chairman, I would like to respond to the hon. leader of the Liberal Party. I would like to point out to him that what he has been suggesting should be the role of the secretariat is exactly what we have been doing. We have been co-ordinating policies, not only within our own policy field but between the ministries involved in our policy field, and indeed outside our policy field.

I only have to point to the whole question of the repeal of section 8, which is a problem we're all faced with within our policy field, along with input from the Justice policy field, and there will be recommendations there.

**Mr. S. Smith:** Will you be proclaiming that?

**Hon. Mrs. Birch:** At some time in the future, yes.

There has also been policy co-ordination between Justice in our policy fields on youth and alcohol. Of course mental retardation and family planning are other areas in which there was a great deal of co-ordination within our policy field in formulating policy for this province.

There have been many other areas; again, transportation for the handicapped. The Ministry of Transportation and Communications initiated studies and worked with our policy field in formulating what we feel is a very viable transportation policy for handicapped people in this province.

The members opposite sometimes try to imply that they're the only ones with the monopoly on concern for children in this province. I would just like to point out to you that those concerns were mine long before I ever entered this House, and on a voluntary basis. They continue to be of great concern to me, but the morass of different legislation affecting children is frustrating in its scope, it isn't something that can be turned around overnight and changed. But I can assure you that within our policy field it is getting a great deal of consideration, and hopefully within the next few months we'll begin to see some results.

You refer to a study which was initiated, again in our policy field, by a residential services committee which was interministerial in scope and headed by Mr. Anderson of Community and Social Services. A very excellent group of people served on that committee, but I would like to point out in answer to

your criticism of the length of time it has taken that the people serving on that committee are all very busy people, all involved in other ministry duties. It was a very complex question but they have presented us with a very excellent report.

**Mr. S. Smith:** That was three months ago.

**Hon. Mrs. Birch:** No, it wasn't three months ago.

**Mr. S. Smith:** Two and a half months ago.

**Hon. Mrs. Birch:** It may have been that.

**Mr. S. Smith:** Come on; share it with us.

**Hon. Mrs. Birch:** Since that time—

**Mr. S. Smith:** Why suppress it?

**Hon. Mrs. Birch:** There is no reason to suppress it. It is an interministerial committee—

**Mr. S. Smith:** Give it to us. We have asked for it three times.

**Hon. Mrs. Birch:** —which reported to the policy field with recommendations for residential services for the aged and for the youth, the children, of this province.

**Mr. S. Smith:** Why can't we see it?

**Hon. Mrs. Birch:** It was at our policy field meeting. It has been recommended to cabinet for consideration as far as the aged are concerned and then we will be concentrating on those residential services which apply to children. We are concerned—

**Mr. S. Smith:** Why won't you show it to us?

**Hon. Mrs. Birch:** —I am very concerned, that children seem not to receive the kind of attention I feel they should have. Too often we serve the agencies rather than the needs of the particular child. It is a tremendously complex problem. There are very many agencies involved and it is something one cannot turn around very quickly, but just to assure you—

**Mr. S. Smith:** Why can't you show us the report? What are we going to do? Are the Russians going to take us—

**Hon. Mrs. Birch:** I doubt that very much.

**Mr. S. Smith:** Why can't we see it?

**Hon. Mrs. Birch:** It is a report which has just been presented to the policy field for



consideration. It is not the only policy consideration we have in the policy field. We have been dealing with transportation for the handicapped.

**Mr. S. Smith:** Why can't we see it?

**Hon. Mrs. Birch:** We've been dealing with housing for the handicapped and it takes time.

**Mr. McClellan:** Behind closed doors.

**Hon. Mrs. Birch:** The policy or residential services will be moving forward.

The hon. member for Beaches-Woodbine made several comments about the lack of co-ordination between the youth secretariat and Colleges and Universities. I would point out one programme which has been invaluable to the young people of this province and which was initiated by the youth secretariat in co-ordination with Colleges and Universities. This was the OCAP programme which provided 1,000 jobs for students within government. It has been a tremendously successful programme.

**Ms. Bryden:** Is that an increase over last year?

**Hon. Mrs. Birch:** This is a new programme. It has been widely recognized as a very excellent one and one which many students have desired to become involved in.

**Ms. Bryden:** Are there any vacancies left?

**Hon. Mrs. Birch:** I couldn't tell you.

The member for Beaches-Woodbine made some comments about provincial parks and about people being harassed at provincial parks. I would like to point out that over the past summer many people in provincial parks have been disturbing the whole area, spoiling it for those who want to avail themselves of a family holiday. It reached a point where something had to be done and that is why the Ministry of Natural Resources made it possible for the staff within the parks to arrest those who were disturbing the peace and spoiling the camp grounds for those who wanted to enjoy a quiet holiday. I can assure you that those who are behaving themselves and not annoying the rest of the campers are in no way being harassed by the OPP or by anyone else.

**Ms. Bryden:** They were behaving themselves.

**Hon. Mrs. Birch:** I think you made some reference to the Ontario youth programme,

our Experience '76 jobs, and I say to you that I don't find \$12.3 million a small amount for this government to be providing for student summer activities. It's an increase from the original amount, by an additional \$2 million. When it was noted there were many applications this year, there was an attempt by this government to provide further help for the many young people who are looking for jobs.

[9:15]

I would just like to point out to the hon. member that I don't believe it's government's responsibility to provide jobs for everyone. I think one of the great benefits this summer has been the number of businessmen in the private sector—I only have to look to my own community, and the member for Scarborough-Ellesmere (Mr. Warner) will be well aware of this, of the work of local Lions groups and chambers of commerce—who are in effect doing everything they can to help provide more opportunities for young people. I think this is the way it should be done.

**Mr. Warner:** There are 120,000 with no work.

**Hon. Mrs. Birch:** That well may be, but that's a figure that's been tossed around rather lightly as well.

**Mr. Samis:** Are you telling us what you have done is enough.

**Hon. Mrs. Birch:** There is no real determination if in fact it is that number. It only has to be pointed out to you that there are some 12,000 young people in Ontario who will be collecting unemployment insurance this year because they worked for eight weeks last summer. Also, there are many young people who will not be working or seeking employment, who will be doing a great deal of travelling. So it's very difficult to establish 120,000 as being the number of unemployed youths in this province this summer.

One of the other areas on which the hon. member for Beaches-Woodbine commented was the lack of co-ordination in homecare programmes. I would just like to point out to you, again, that there was a recommendation from the Advisory Council on Senior Citizens and that paper is being very carefully considered, with both Community and Social Services and Health, with a view to promoting more programmes for home care to help those who have either chronic

illnesses or elderly and would like to remain in their own home.

So there are indeed many programmes, many policies, that are being co-ordinated within the social policy field.

**Mr. Deputy Chairman:** Before the debate continues, it was the understanding of the Chair that we were going to deal with these votes item by item rather than collectively. While we did allow some broad debate under item 1 of this vote, it seemed we did stray into the development councils as well as the Youth Secretariat. So I would ask subsequent speakers if they could direct their comments specifically to item 1, and then we will deal with items 2 and 3.

**Mr. Warner:** The problem, Mr. Chairman, is that in this particular vote, as I understand it, we are talking about the co-ordination which exists between the various policy areas. Therefore by nature we may get into discussing social development councils, but nonetheless I will keep my remarks to five or 10 minutes.

**Mr. Shore:** Keep it to about three.

**Mr. Warner:** If it's not possible at this particular time to give a definitive answer, I would appreciate it if the provincial secretary could come back, at any time, and provide a definitive answer for me; and I tell her why very simply and in a very straightforward fashion.

**Mr. Deputy Chairman:** Order please, could we have one debate at any one time? The hon. member for Scarborough-Ellesmere has the floor.

**Mr. Warner:** Thank you.

**Mr. Samis:** Actually the member for Prince Edward-Lennox (Mr. Taylor) seems to have the floor.

**Mr. Warner:** I take it that one of the advisory councils under this secretariat is the Advisory Council on Senior Citizens. I understand that within that council some recommendations may have come forward at some point regarding accommodation for senior citizens and the kind of co-ordinating role you should play between Community and Social Services and the Ministry of Health. It is a very confusing situation. I have spent the last three or four months, some considerable time, in trying to put together the picture for a senior citizen who is healthy, who is seeking accommodation. The way I understand it at this point, if that person enters a place which is strictly a home

for retired people or home for the aged, there is a price which is somewhat reasonable, somewhat within what you should expect to pay. However, if that person enters a home which has, shall we say a dual purpose, that there are people who are well and people who are not well are staying within the same home, that home receives funding from two ministries but the price suddenly changes drastically.

I'll just give you three quick examples. At Providence Villa, which is in Scarborough, it is \$558 a month to stay in a room with three other people; at St. Thomas House it is \$650 a month, regardless of your income; and Fudger House on Sherbourne St. is \$642.25. Pretty staggering amounts, especially when you compare it, as I did, with a rate of \$157 per person, on a monthly basis excluding food, if you stay at the Holiday Inn, or \$276 a month if you stay at Howard Johnson's. In both of those instances the hotels assured me that the person could stay in the hotel in what we would call luxury accommodation, obtain first class meals and still come under the \$558 mark per month.

To me it seems quite absurd that someone can get better and cheaper accommodation in a hotel than that person can receive in a home, simply because of the designation that's made by the two ministries. It's that point of confusion that I have not been able to clear up anywhere I've asked, and I've met with various associations on the question.

Does the minister understand clearly the problem that I put? I realize it's a complex one, you're not about to answer it in a few minutes. If at some point you could come back to me with some answer as to where the problem rests and what co-ordinating role you can undertake in sorting out this problem between the Ministry of Health and Community and Social Services so that elderly people are not faced with this kind of horrendous cost, I would appreciate it very much.

**Hon. Mrs. Birch:** I would like to comment to the member this is exactly the kind of complex problem we were faced with when we attempted to bring some equity into the system of residential services for the aged. That's exactly the kind of thing that we're dealing with in this whole policy paper we will be bringing forward.

**Mr. Warner:** Soon?

**Hon. Mrs. Birch:** Yes.

**Mr. R. S. Smith:** I have something to say on the next two votes. We have seven minutes left, so perhaps I could spend some



time on the second vote or do you want me to go directly to the third vote?

**Mr. Deputy Chairman:** Any further discussion on item 1?

**An hon. member:** No.

**Mr. Deputy Chairman:** Does the hon. member for Nipissing wish to use some time now on items 2 and 3? It's unfortunate we can't carry item 1, but we'll come back to it.

Perhaps we might get some indication—I might conclude these estimates approximately at 9:30 and spend an hour on the Premier's estimates—is it the wish of the committee that we take a little longer on these estimates and reduce the time on the Premier's estimates? Is that the agreement of the committee, or do members wish to conclude the schedule at approximately 9:30?

**Mr. McClellan:** Could we spend an additional 10 minutes on this ministry, Mr. Chairman? Is that acceptable?

**Mr. R. S. Smith:** Okay we'll go to 9:40 on these estimates. I think it would be agreeable to us if we went till 9:40.

**Mr. McClellan:** We had one more speaker who wanted to make some comments.

**Mr. R. S. Smith:** We'll combine the last two votes and we'll go till 9:40.

**Mr. Deputy Chairman:** Order, please, order. There is altogether too much noise in the chamber.

We have agreed, I think, that we go until 9:40. Perhaps we could deal with the remarks of the hon. member for Nipissing.

Order, please. Just one more thought; how long will the hon. member for Peterborough be in her comments?

**Ms. Sandeman:** I will be 10 minutes.

**Mr. Deputy Chairman:** In that case, we had better go to the hon. member for Nipissing; then we will come back and you can use the balance of the time.

**Mr. R. S. Smith:** I should hope so. I have been waiting here since 8 o'clock.

**Mr. Samis:** Five minutes.

**Mr. R. S. Smith:** You were going to take 10 minutes, were you?

**Mr. Deputy Chairman:** Order, please. Would the caucusing to my right please dis-

continue in order that we can hear the hon. member for Nipissing?

**Mr. R. S. Smith:** Thank you very much, Mr. Chairman. I appreciate your concern.

Interjections.

**Mr. Deputy Chairman:** Order, please.

**Mr. R. S. Smith:** On the second item, social development councils, I would like to ask the minister if this is the study that's been going on for some period of time, and in northeastern Ontario has Dr. Williams been involved in this study? I asked this of the Minister of Community and Social Services and I didn't receive a reply. I would just like to know what you are doing in this area, whether these councils are going to parallel the health councils and whether it is the same type of structure. I should like to ask the minister those questions to start with.

**Hon. Mrs. Birch:** Mr. Chairman, that is an internal study that is being done within Community and Social Services on social planning councils. It wasn't a policy field decision.

**Mr. R. S. Smith:** Did you say it is an internal study and has nothing to do with policy?

**Hon. Mrs. Birch:** I am sorry; I can't hear you.

**Mr. R. S. Smith:** I can't hear you either, so we are having a good discussion.

**Mr. Deputy Chairman:** Order, please. Could we have a little less mumbling and conversations in the committee, other than the hon. member who might be speaking and the minister in her response?

**Mr. R. S. Smith:** Okay, I will just skip the second part; I will go on to the third item under the vote. Over the last year or so and last fall, I think, when our estimates were up, I was very critical of what was going on within this ministry and what they were doing, particularly insofar as the Youth Secretariat was concerned. Since that time you have appointed a parliamentary assistant, who I understand is in charge of the Youth Secretariat and who did some sort of a study as to the drinking age and a number of things. But am I correct in presuming that he is now in charge of the Youth Secretariat?

**Hon. Mrs. Birch:** Yes.



**Mr. R. S. Smith:** Okay. So now we have a minister and we have a parliamentary assistant in charge of the Youth Secretariat, but we still have a hodge-podge over there because nobody really knows what they are going to do.

**Mr. Samis:** It's getting worse.

**Mr. R. S. Smith:** I will just read a letter of resignation which your parliamentary assistant received. I think it will outline pretty well the general feeling of most of the people who work there, let alone those who are outside.

**Mr. Jones:** Did one letter tell you about—

**Mr. R. S. Smith:** No, I have talked to other people as well, but this is one specific letter that I am going to read. I have also discussed it with other people in your secretariat and people who were to be recipients of what your secretariat were doing, and they are still having some difficulty finding out what's going on. Maybe this pertains particularly to northeastern Ontario and to northern Ontario, but I would think it is apropos right across the whole province. I will just read this letter anyway, if you don't mind.

This letter is from a person who I believe has been working in your secretariat for a period of two or 2½ years on contract; that way you don't call her a civil servant. This is one of the dodges that goes on over there so you don't have to count them; we all understand that. Anyway, I will read this letter. It went to a lot of people, and I happened to be one of them for a specific reason I won't get into.

Dear Mr. Jones:

Before accepting the position as the northern Ontario field liaison person with the Youth Secretariat, I have always been involved in community services at the grassroots level. I welcomed the opportunity of working within the government structure and I had a lot of energy and enthusiasm for the concept of an Ontario Youth Secretariat. When Premier Davis announced its formation in 1972, he spoke of a vehicle which would give young people access to the government and a vehicle to provide the government with a better understanding of its human resources.

In the 18 months I have worked in the field [she has worked in the field for 18 months, but prior to that I think she was in your office here] it has become glaringly

obvious to me that the Youth Secretariat is not fulfilling its mandate.

Despite constant reorganization, it remains a body crippled by internal mismanagement, lack of direction and its constant response to political crisis issues.

[9:30]

I think that last point is perhaps the most significant, because it is the basis of all the other problems. This whole secretariat was set up on a political crisis basis. It has never changed and I think all the other problems that it has had, and still has, stem from the fact that it has more to do with politics than it has to do, really, with the youth of the province. The point of the secretariat has been to be in a political position to deal with the youth of the province—rather than to see what could be done on behalf of the youth of the province. I think that, in effect, sums up what the problem is in this secretariat. I'll just finish the letter:

In the paper which the field unit presented to you, methods of creating a vehicle to deal with youth concerns were suggested. Unfortunately, it seems you don't have the time to deal with the issues which make the secretariat ineffective. Rather than trying to work among constraints, it seems more expedient to me to consider some solutions at this point.

In other words, the frustrations of this person had reached their limit. Obviously, suggestions had been made from the lower levels within the Youth Secretariat, coming from the people who were in contact with those they were supposedly serving. Those things evolved from the young people within the province and came through the field workers and went from them to those in charge of the Youth Secretariat. But they were obviously being ignored. I know that this is not an isolated case. It just about went on day in and day out, right through this secretariat; I've spoken to others who have exactly the same opinion.

I've spoken to those at the lower level, the youth of the province, who did have some input at one time. I also spoke to two or three people who were on that youth council we had at one time—and I don't know if it even exists any more—but they had exactly the same opinion. As the letter states:

(The lack of credibility of the Ontario Youth Secretariat in the field, and your inability to consider the importance of this phenomenon makes it impossible for me to represent the secretariat in northern Ontario. It is with deep concern that I have



decided not to renew my contract. Yours truly.

This letter was sent around to enough of you that you all have a copy of it; you all know of whom I am speaking. I will not read the person's name because I don't think that is significant. The significant thing here is that this is what I consider to be a true picture of what has been going on at the Youth Secretariat since it was formed. The fact that it was formed on a political basis and has remained as such is where the problem lies. There is no question about it in my mind when I talk to young people in regard to, say, the 1976 programme of hiring. Young people make applications before the deadline and then they are told that the positions are filled. We wonder what kind of a game is being played here. It's purely political.

**Mr. B. Newman:** I get the same thing.

**Mr. R. S. Smith:** A person came to me not two weeks ago. She had made an application, as a high school student, before the date on which the brochure said they could apply. You know she was told: "You're too late; the positions are all filled."

Well what was the point of the person even making the application if she wasn't even going to be considered? That's the whole basis of that secretariat. It's a game they play over there. That whole Experience '76 programme is also a game, because there are a certain number of jobs for youth that are set aside. I think this year it was 8,300. Is that not correct? Would you correct me if that's not the—

**Hon. Mrs. Birch:** There were 9,100 jobs available.

**Mr. R. S. Smith:** I was only 800 out; that's not too bad.

Out of that 9,100 how many were actually employed and given the employment opportunity before the date on which application was actually to be made? I want that question answered, because I think it's important. Many young people in this province applied in good faith and their applications were not accepted in good faith.

That's hard to believe, and it's a significant thing you have to look at as a ministry. In fact the whole advertising programme of the ministry in regard to that programme was a sham, because those jobs were allocated outside of the parameters that were set within the advertising.

I know of more than one case. I just mentioned one, but I know of others who applied

and who had no chance whatsoever because the jobs were delegated far before the time limit in the advertisement. I think that fact, along with letters such as this, and from talking to other people, is enough to make me think there has to be something more done for this expenditure of \$750,000. I believe, it is being spent for political purposes only.

**Mr. Deputy Chairman:** Order, please. I would draw to the hon. member's attention that more than half of the extended time has been used by the Liberal member. I would assume the hon. member for Peterborough (Ms. Sandeman) also wishes to take part in the debate and the minister wishes to respond, so we're going to have to keep our comments as short as possible.

**Hon. Mrs. Birch:** I feel the hon. member has made a condemnation of a programme based on one letter from a young person who was disenchanted. I think that's very unfortunate.

**Mr. B. Newman:** No, no.

**Mr. R. S. Smith:** It is the same everywhere in this province.

**Hon. Mrs. Birch:** I'm aware of that young lady.

**Mr. Conway:** You don't run the liquor stores, do you?

**Hon. Mrs. Birch:** I know she did an excellent job. I think she probably was faced with some of the frustrations the rest of us are faced with from time to time, and couldn't accomplish some of the things she thought were so important as quickly as she would like to have done. But I think it is really unfortunate that you would condemn a whole programme based on that one letter of resignation.

I should also point out to you that the ministries are responsible for all the programmes within Experience '76 and the selection is made by the ministry personnel. It's made in conjunction with local authorities who, on many of these projects, have a co-ordinated programme with the ministry. So a lot of that selection is done right in your own home community by the agencies participating in these programmes. Again, I don't think it's fair to point a finger at the Youth Secretariat. They have nothing to do with the selection of young people who are applying for those positions. Every young person in this province receives notification at the same time. The applications are mailed out to every school and every college and every university; it's up to the young people themselves to apply as quickly as possible.

I would also like to point out that in addition to the 9,100 jobs this government is supporting through Experience '76 they are also employing in excess of 10,000 young people across this province as summer replacements. So, our record is very good in the area of providing summer employment to young people.

**Mr. Deputy Chairman:** The member for Peterborough.

**Mr. R. S. Smith:** But you haven't answered my question.

**Mr. Deputy Chairman:** Order, please.

**Mr. R. S. Smith:** But that is the basic question.

**Mr. Deputy Chairman:** Order, please. The hon. member for Peterborough was to have the floor next. Order, please.

**Ms. Sandeman:** Mr. Chairman, the minister mentioned very briefly the problems which—

**Mr. R. S. Smith:** I'm entitled to an answer.

**Ms. Sandeman:** —she is facing in considering what to do with the children—

**Mr. R. S. Smith:** On a point of order, Mr. Chairman. I'm aware we're operating under time constraints and I'm willing to let the member go for 10 minutes after, but on the other hand I'm entitled to an answer from the minister to the question I asked.

**Mr. Deputy Chairman:** Order, please. The Chair has been taking direction from the committee and it was on the understanding we would extend the estimates for 10 minutes that you would ask a question which I assumed was answered and then the hon. member for Peterborough would have the floor. I'm just trying to allocate the time fairly and equally between the two parties.

**Mr. B. Newman:** It wasn't allocated equally earlier.

**Mr. Deputy Chairman:** I thought it was agreed.

**Mr. R. S. Smith:** I would point out that your assumption the question was answered was wrong.

**Mr. Riddell:** Give her a chance to answer the question. She would if you give her a chance.

**Hon. Mrs. Birch:** I am sorry. I think the question—it's very difficult to hear over here

for some reason or other—I think you're referring to people applying for jobs before the deadline. Again, I must say to you that many of these selections are made at the local level and the ministry is not responsible—

**Mr. Conway:** You're not kidding us.

**Hon. Mrs. Birch:** —the Youth Secretariat is not responsible. It's up to the local people within your community who are making those selections.

**Mr. R. S. Smith:** They have to operate within the parameters of your programme.

**Hon. Mrs. Birch:** Yes, they should, and if they are not perhaps—

**Mr. R. S. Smith:** That's why I bring it to your attention. What are you going to do about it?

**Hon. Mrs. Birch:** —you should question that and I certainly will look into it.

**Ms. Sandeman:** I have a very quick comment. The minister commented briefly on the problems of planning programmes for the so-called unmanageable children under section 8 of the Training Schools Act. I would hope the resolution of this problem is going to come very soon.

At the moment the children are in limbo, partly because many judges are behaving as if the repeal of section 8 has already been proclaimed and the communities in which those children live are hard-pressed for alternatives to training schools. Other judges are continuing to sentence children to training school under section 8 because they're very well aware that their communities have no alternatives. The ministries have had representations from the municipalities, from the Children's Aid Societies, from Correctional Services and the only voice which hasn't been heard, I think, is that of the children themselves. As soon as you can possibly do it, they need some help and some direction.

It may be that the real problem is in the dichotomy between social control, which seems to me to be what Correctional Services is about, and social development, which is what you're about. It takes quite a leap to move from the concept of rehabilitating difficult children to the concept of looking at the environment from which they come, planning for that environment and helping them to survive in that environment. That's more difficult, much more difficult, than putting children in an institution.

I'd also like to know—and I guess there isn't time to know—what social planning the



minister is doing for the young people, aged between 16 and 18, who are currently in our correctional institutions. As you probably know, about a quarter of all the adults incarcerated are between the ages of 16 and 18. If the new federal legislation goes through, you are again going to be faced, I believe, with the dichotomy between control of offenders or help for young persons in need of care. There's going to be a large number of young people who are going to be in great need of some real tough social planning.

One thing I would suggest to the minister is that she takes a look, if she hasn't already, at the research report from the Vanier Institute for Women which shows that in spite of all the battery of expert attention brought to bear on those young women in that institution, the thing that had the most bearing on their success in the community afterwards was whether or not they had a strong attachment to the work force. That seems to me to say something about the necessity of making sure that when we're talking about the needs of young people who are incarcerated in correctional institutions, we don't get so hung up on rehabilitation that we forget they have social needs, environmental needs and most of all they need a job.

Back very briefly to section 8. If you're looking at alternatives to locking up kids, I think you have to be very seriously looking at the environment from which they come—their schools, their homes, their families, back to the earliest days of their childhood. I think one of the most frightening things we've seen in the last couple of weeks was the infant mortality figures from the core of this city.

That's not only a health problem. It's a social problem of frightening dimensions. I think one could well start from that figure and ask what is wrong? Where are we going in social planning? If we don't start our preventive programmes with children from the day they are born, we are always going to end up by locking them up at the age of 14.

**Hon. Mrs. Birch:** I'd like to respond by saying that the hon. member, I'm delighted to hear, shares many of the same concerns that I have.

Vote 2501 agreed to.

**Mr. Deputy Chairman:** That concludes the estimates of the Provincial Secretary for Social Development.

[9:45]

## ESTIMATES, OFFICE OF THE LIEUTENANT GOVERNOR

On vote 101:

**Mr. Deputy Chairman:** Shall vote 101 carry?

**Hon. Mr. Davis:** I have a very lengthy statement on the estimates of the Lieutenant Governor in support of the Crown, the monarchy and all of those matters but I take it that everybody across the House supports this concept and the role of the Lieutenant Governor, so I shall make no observations whatsoever.

**Mr. Conway:** Redundant as usual.

**Mr. Deans:** Mr. Chairman, since the Premier insists on taking up his own time talking about it it must be said that the Lieutenant Governor is doing an excellent job while the late Lieutenant Governor, the Hon. Ross Macdonald, would have been a hard act to follow at any time; the present Lieutenant Governor is doing remarkably well. I applaud the work she's doing.

**Mr. Breithaupt:** Mr. Chairman, I think it worthwhile perhaps to add a brief comment along the same line—

**Mr. Conway:** The socialist monarch.

**Mr. Breithaupt:** —as the member for Wentworth. It certainly would appear that while we are not usually able to speak at any length with respect to these estimates—that is not the custom—it is still, I think, useful for us to remind ourselves and the system of government we have that we are peculiarly and most happily graced by the efforts of Her Honour in this appointment which is a challenge, I'm sure, at any time. Particularly in the way Her Honour has taken on these tasks we are indeed most fortunate.

Vote 101 agreed to.

**Mr. Chairman:** That completes the estimates of the Office of the Lieutenant Governor.

## ESTIMATES, OFFICE OF THE PREMIER

On vote 301:

**Hon. Mr. Davis:** It is the custom for ministers to make sometimes lengthy opening statements and as I know the members opposite are anxious to discuss in detail the

estimates of the office of the Premier, I have reduced my customary half-hour to about 25 minutes in explanation of the activities of the office.

**Mr. Deans:** That is your concept of sharing.

**Mr. Breithaupt:** That is known as restraint.

**Mr. Samis:** Restraint now.

**Hon. Mr. Davis:** As in other years I do have an introductory statement. It is customary, at the time of the estimates debate, to say a few words about the activities of your ministry or your office and sometimes this includes the staff of the ministry or office concerned. I would like to take the opportunity this evening—and I feel the members opposite will understand—to say a few words about one member of my staff. Miss Helen R. Anderson is my secretary. She has served in that capacity for some 14 years—

**Mr. Riddell:** Can she type?

**Hon. Mr. Davis:** —initially, while I was Minister of Education and, since 1971, in the office of the Premier. On July 2 of this year—this is why I'm mentioning it tonight, Mr. Speaker, on July 2, hopefully, all of us will be elsewhere—Miss A, as she is affectionately known to me and practically all members of the staff, will complete 45 years of service with the government of Ontario.

While this by her own account is not a record it is certainly an achievement which I feel deserves special recognition. In 1931, as a young and recent graduate of the High School of Commerce, she entered the employ of the Ontario Department of Education. At that time, the hon. George Henry was serving as Minister of Education as well as Premier of the province. It has happened on other occasions.

In subsequent years, she served some eight Ministers of Education, four of them—Mr. Dana Porter; Dr. William Dunlop; Mr. John Robarts; and me—directly as secretary. During those 45 years the records show that nine Premiers and nine Lieutenant Governors presided over the affairs of the province.

It was my good fortune in 1971, as I moved to the office of the Premier, that Miss A agreed to leave the ministry and assist me in my current duties. No one who has had occasion to call or visit my office need be told of the degree of intelligence, charm and grace that this fine lady brings to her posi-

tion. Neither do they need to be informed of the loyalty, enduring patience and sympathetic understanding that is applied to her work, day in and day out.

The fact that after 45 years of service, she has been able to maintain all of those commendable qualities, as well as her youthful appearance, in putting up with some of her bosses, myself in particular, is, I believe, adequate testament to her boundless energy, enthusiasm and tolerance.

Interjections.

**Hon. Mr. Davis:** I have to say that she is very tolerant of some of you across the House.

Mr. Chairman, with no advance notice whatsoever—she didn't know this was happening, that I was to make these remarks—Miss Anderson, I think for the first time since I became Premier, finds herself seated under the press gallery to your right. I would ask all members to join with me in paying tribute to her on this occasion.

**Mr. Deputy Chairman:** The hon. member for Wentworth.

**Mr. Deans:** Mr. Chairman, the Leader of the Opposition (Mr. Lewis) is somewhere between here and a speaking engagement and intends to be here in about 15 minutes. I think if the leader of the third party would like to go ahead we would be happy to have him do so until our leader arrives.

**Mr. S. Smith:** I think, Mr. Chairman, that the first very pressing matter before us came to my attention in today's newspaper, in which I was very chagrined to find that my cousin in Ottawa has taken to actually locking his cigar humidor when the Premier of Ontario is lurking about. I think that is a disgraceful way to treat a man of the Premier's stature and a man of his reputation—

**Mr. Samis:** What about his habits?

**Mr. S. Smith:** —to say nothing of his habits, and we better say nothing on that—and I feel there must be some way I could make this up to him. So I have spared myself, at very small expense I assure you, and I have purchased a cigar for the Premier, which I hope to give to him, to make up for the terrible manners of my cousin. Mr. Chairman, he will find, I am certain, that this cigar is far below—very far below—his usual standard in cigars, but he will appreciate that in a time of restraint it is incumbent upon all of us to make certain



sacrifices and I trust he will take what little comfort he can from that particular offering.

**Mr. Deans:** Can you be bribed? It's a peace offering.

**Mr. S. Smith:** I feel, Mr. Chairman, dealing with the estimates of the office of the Premier, that, really, one can say nothing and one can say everything. The estimates, of course, are not broken down in any great detail as to the functions the various employees perform. What we do know is that John Robarts was able to function for approximately one-third less of what it requires for the present Premier to function. Although inflation has occurred, it is perfectly obvious the Premier has expanded his office and his functions much more than the bare necessities would require.

It also is very important, not to just sit here sort of nit-picking about this, but it is important, I think, that once in a while we stand back and look at where our whole democratic system is heading. Earlier this evening I made the comment that many reports, including one that was particularly germane to the social policy field, are suppressed. They are kept secret even though they could do no conceivable harm to the national or the provincial interest or to the interest of any particular individuals in Ontario or elsewhere. This makes it awfully tough for those of us who might wish to criticize constructively; who might wish to exercise opposition in a way intended in our democratic system, in a way that is an honourable, a genuine and an important function—it makes it difficult for us. We have to function with a relatively small number of people, who are dedicated and who do what research is possible on the very large budget the province has. I think that it is sort of just rubbing our nose in it a little, if I may say, Mr. Chairman, to have to face the fact that the Premier is able to appropriate to himself \$1.42 million or more for the running of his office.

We realize this office is important. We recognize the Premier requires to be kept informed and to be able to handle a great many engagements. He has to schedule matters, he has to receive people, he has to be up to date on a good many aspects of this province.

But as the leader of an opposition party, I certainly find it very difficult to be the kind of critic of the Premier one would like to be, to be as well-informed as one ought to be for

the role that is expected of us in a democracy.

I believe things have gone too far. I think the Premier has allowed his office to expand over the past few years—although I notice his budget is no greater this year than last—but I do believe that office has expanded at a time when the opposition offices have had to get along on a pitifully small amount of money.

It may not matter. It's easy enough for us to do our research and from time to time be criticized for research that may only be 99 instead of 100 per cent accurate, and so on. But we are functioning with very limited resources.

I believe if the people of Ontario really and truly understood the massive amount of money that surrounds the Premier in order to enhance his image and allow him to function, if they understood and could compare that amount of money with the trifling amounts with which I must operate an opposition party, with which I must operate a research department, I would think the people would have something to say about that. I would think the people would demand an accounting from the Premier as to why John Robarts could get along for \$400,000 and he requires \$1.42 million.

The accounting would have to be more than merely salaries, wages, transportation, services and so on and so forth. It would have to be an accounting in terms of the function of the Premier's office and an accounting in terms of whether or not we truly believe that opposition parties play an important role in the legislative functions of this province. Anybody can look good if you pile \$1.5 million around him; the trick is to be effective and to be a reasonable representative of the opposition view with the trifling amount of money which the Liberal Party and the official opposition have to deal with.

I will not go on at great length. I am not here to nit-pick with the Premier. You see, I even started the evening by giving him a peace offering—and believe it or not, it will not explode. What it will taste like is a different story.

But I do feel that the Premier has got himself used to a style of life in his office which is, I suppose, rather nice to become accustomed to, but which is really rather shocking in contrast to the way in which the other parties in this House are handled and in contrast to what the people of Ontario truly expect is going on in the Legislature.



**Hon. Mr. Davis:** Perhaps I might reply while we are waiting for the Leader of the Opposition, because I think perhaps the leader of the third party might gain a little knowledge from some recitation of history.

I don't minimize the extent of funding available to the office of the Premier, but I would point out to him that the function of the office of the Premier has altered somewhat in the past five or six years. I think it was in the process prior to that.

I think in terms of allocations of resources that I can go back those same five years and I can recall the resources that were allocated in terms of funding for opposition caucuses, of funding for research. I happen to know something about salary levels that are paid.

I would say to the member for Hamilton West that if he is talking about image, that really is very silly and it is just totally untrue. I am sitting in an office that is substantially the same as it was when George Henry was there—believe it or not. There have been minor modifications in terms of physical plants—

**Mr. S. Smith:** I don't mean the physical plant.

[10:00]

**Hon. Mr. Davis:** But let me give the member just one relevant statistic. I know you're interested in statistics. I think every member has experienced this, but believe it or not, Premiers do as well. In the last year that Mr. Robarts had the honour to administer the responsibilities in the field of correspondence—we're all faced with that these days—if I can find the figures—I think in 1970-1971 for instance, in terms of first-class mail coming into the Premier's office, my memory is that we were talking about 12,000 letters. In 1961-1962, it was around 5,000. We hit a high point a year ago—because of a fair amount of letters in terms of a particular issue—of around 100,000. Actually, the average this year will probably work out to about 75,000. If my mathematics are approximately correct, that is five to six times the workload in that one area alone of 1970-1971.

**Mr. S. Smith:** Mine has gone up six times over my predecessor's too.

**Hon. Mr. Davis:** Fine. And about 40 per cent of them receive direct replies from this office, and that to me is important. It may come as a bit of a shock to the member for Hamilton West but some of the more veteran members will understand this. Part

of my office's time—not just mine but members of my staff—is spent quietly assisting some of your colleagues, believe it or not, with some of the problems that they have from day to day. This has been the tradition that we have experienced. I have had some of your caucus members in my office. They've been in to discuss problems. They've always been welcome, haven't they?

**Mr. S. Smith:** They should be. They are representatives of the people. Why shouldn't they be?

**Hon. Mr. Davis:** That's fine. I'm pointing out to the hon. member for Hamilton West that certainly this is all fine and appropriate; I'm just saying to you that in terms of the numbers of people, the workload, etc.—

**Mr. S. Smith:** My mail has gone up 600 per cent too.

**Hon. Mr. Davis:** Fine, if the member for Hamilton West is saying that he himself feels he needs more resources, fine. Take a look at salaries. You have recently retained the services of, I assume, a reasonably competent public relations or press adviser—no quarrel with that—being paid out of the public purse. I would only say to the member for Hamilton West, if my information is correct and I think it is, that it is at a figure substantially higher than my senior press officer in the Office of the Premier.

**Mr. S. Smith:** You are wrong. You are wrong.

**Hon. Mr. Davis:** I have a feeling I'm right.

**Mr. S. Smith:** The figure you are quoting has nothing to do with the press officer in your office.

**Hon. Mr. Davis:** All right. It is still substantially higher, and all I'm suggesting to you is that before you suggest that we are over-extending—

**Mr. Deans:** Why don't you tell them what it is? This is really big stuff.

**Hon. Mr. Davis:** Oh, it is. It's important. I was overwhelmed by the observations because I've heard them all before. Something else that has transpired in that four- or five-year period which the member for Hamilton West wasn't here to experience—you can be critical of it, others have—is the whole alteration in the structure of the government.

Although Mr. Robarts, in his last year here, initiated the government study on productivity, it was my responsibility and de-

cision to implement it. The function of the Premier's office and the cabinet office have substantially changed as a result. Complement numbers have changed and the workload has changed. This has all happened, and you can argue whether or not the reorganization has validity, but I would say with respect to the member for Hamilton West that to talk about having \$1.4 million as the surroundings of office to enhance the image of the Premier and so on is really picayune, pretty childish and factually untrue. I wish I had such a mechanism available to me. It just isn't true.

Mr. Deans: Don't let him say that to you.

Mr. Deputy Chairman: Order, please.

Hon. Mr. Davis: These funds are used for the administration of this government in what is a fairly onerous area of responsibility. I'm not going to argue with the member for Hamilton West as to his responsibility. It too is onerous. That has become very evident in the past two or three months and I'm entirely sympathetic.

Just to set the record straight, and I'm not criticizing the member for Hamilton West because the press sometimes do make a mistake—I didn't go back to the Prime Minister's cigar box for that second cigar. I took two while it was open. It was one of my colleagues from the Maritime provinces who helped himself to what I understand was a gift from the head of state of Cuba. I do point out that they were pretty good cigars, but unlike those of the member for Hamilton West, my needs and wants are very simple. This White Owl cigar is more than adequate for my purposes, and I thank him very much.

Mr. Deans: Do you have a response? Because I do.

Mr. S. Smith: I have.

Hon. Mr. Davis: Respond—I've got a cold!

Mr. S. Smith: If the Premier could reduce his taste from Castro's cigars to White Owl cigars, maybe he could also cut down on the estimates of his office.

Interjection.

Mr. S. Smith: The fact is we can stand here and be critical and, of course, he can stand up and say it's picayune to criticize—

Hon. Mr. Davis: I'm not saying that.

Mr. S. Smith: —so what's the point of having the entire discussion about his estimates?

There's nothing written about the function; there are only numbers. All we can say is the numbers look high to us; it's a lot more than used to be spent. What else can you intelligently say about it? I think that people are entitled to have an expression of that particular sentiment expressed in the Legislature, namely that the Premier is spending what looks to me like an awful lot of money.

Mr. Deans: He's an extravagant guy.

Mr. S. Smith: I, as a political leader, find that the volume of work in the office of a leader is rather high; in fact, comparing it directly to the measurements made of the volume in my predecessor's time, one year ago, we find something between a 400 per cent and a 600 per cent increase.

But the fact of the matter is that the role of leader, in today's way of looking at politics, has become a rather complex one. The people expect a lot of the leader; the people, instead of writing to their cabinet minister or their regular representation, send a letter directly to the leader and expect a personal answer. I know the Premier finds that and he's doing his best to answer; so am I, and I'm sure the Leader of the Opposition is as well.

The fact is that there has to be some reasonable balance between the kind of money available to the Premier and the kind available to the other parties. That's all I'm saying. I'm bringing to the Premier's attention that while there has been this tremendous increase in the way in which he has required money for his office, there has not been the same compensating increase to permit a proper keeping up with this particular investment that the people have made in the leadership of the province. There has not been a compensating increase, certainly not in the office of the leader of the party, which despite the fact that it was a very close second in the popular vote, sits as the so-called third party in the Legislature.

I think it's reasonable for me to bring this up. This is not being picayune; I'm not suggesting that the Premier lives in the lap of luxury in his office, but simply that many of the difficulties and the weight of office which he finds in his role are very similar to those that the Leader of the Opposition and the leader of the third party in the Legislature find themselves shouldering. That's all I'm saying.

Mr. Deans: For two minutes I want to tell you, I don't know where you get your money; I don't really much care. The fact, as I recall it, is what we asked for was what



we got. As I recall, what they asked for was what they got too. That's the way life goes; if you can't live within it, that's too bad. I want to tell you something: I don't like your leadership.

**Hon. Mr. Davis:** That comes as a shock.

**Mr. Deans:** I don't think very much of it, in fact. I don't want you to think that it's because of the dollars. I wouldn't care if they gave you \$3 million, \$5 million or \$10 million, you couldn't do much better. It's something to do with your capacity to lead the Province of Ontario and to respond to the needs of the people in the province, and that's what I don't like.

**Mr. Warner:** Resign.

**Mr. Deans:** I wouldn't care if you could do it on half a million dollars, if you could do it well—

**Mr. Grossman:** At least he's here today.

**Mr. Deans:** —and that's the key to the whole thing.

**Mr. R. S. Smith:** That's a typical NDP stand

**Mr. Deans:** When I look at the government and I watch elections—

Interjections.

**Mr. Deputy Chairman:** Order, please.

**Mr. Deans:** —I look around me and I see the leader of my party arriving.

**Mr. Breithaupt:** Saved by the bell.

**Mr. S. Smith:** You don't need the dummy; the ventriloquist is here.

**Mr. Deans:** But I want you to know something, he's going to sit down for a minute till I finish. I want to tell you what bothers me about it—

**Mr. Grossman:** Tell him what you said, so he won't contradict you.

**Mr. Shore:** Tell him where you left off, Ian.

**Mr. Deans:** Yes, I will. Don't you worry.

**Mr. Conway:** Listen to the next mayor of Hamilton.

Interjections.

**Mr. Deans:** It's interesting how exercised you get. Anyway, I want to tell you something about it that bothers me—

**Mr. Conway:** It's your humility, Ian.

**Mr. Deans:** When you go to the public of Ontario, you speak about the record of your government. In the next election, I hope that, in fact, you will speak about the record of your government—

**Hon. Mr. Irvine:** We will. Don't worry about that.

**Mr. Deans:** —that you'll be prepared to go to the public of Ontario and put that record on the line as if it were your own, and that you'll defend each of the statements and each of the positions taken by all of the ministers of the cabinet as if you had made them yourself, because as leader of the party you're responsible for them.

I want to know that I'll expect you, as others will expect you, to go out on the hustings and talk about what you were about to do to Chedoke Hospital, what you did to Children's Aid Societies or what you did to OHIP after never having breathed a word of it to the electorate in the province during the month of September last year. That's leadership; it's the capacity to look somebody straight in the eye and tell them exactly what you're about rather than to look at them, talk about something else and then do to them what they least expect. I'll leave it to my colleague to talk about what he wanted to tell you.

**Mr. S. Smith:** Like non-returnables.

**Mr. Breithaupt:** Just like bottles.

**Hon. Mr. Davis:** Mr. Chairman, I will just reply to the acting Leader of the Opposition who gave his—

**Mr. Deans:** I'm not—

**Hon. Mr. Davis:** —leader some advice as to what leadership is all about. I would assume that the Leader of the Opposition was listening attentively and that when he goes out on the hustings, whenever this great event is going to take place, he will be looking people in the eye and doing exactly the same thing.

**Mr. Deans:** That is exactly—

**Hon. Mr. Davis:** I really don't know how he is going to explain some of the statements of his House leader on some issues. He will have trouble looking people in the eye and explaining what you said on some things.

**Mr. Deans:** No trouble. What things?



**Hon. Mr. Davis:** I can recall the member for High Park-Swansea (Mr. Ziemba); he will have a little difficulty; the member for Welland-Thorold (Mr. Swart); he will have difficulty explaining to the people of the province "I'm really not going to nationalize the pulp and paper industry. It's only in my colleague's riding of Welland that I intend to do this; nowhere else."

The heck it isn't anywhere else. It's all over the province.

It's great to say to me "Defy leadership" and sort of say, "I go out on the hustings and look people in the eye." I have no hesitation, I say to the Ottawa member—

**Mr. Breithaupt:** Tell them about the bottles.

**Mr. Samis:** Tell us about your member for Middlesex (Mr. Eaton).

**Mr. Deans:** Defend the actions of the government.

**Hon. Mr. Davis:** —I will have no hesitation defending the actions of my colleagues. I will have no trouble defending them. I have no trouble saying to the people of the Province of Ontario something else, if you are talking about leadership—

**Mr. Deans:** Tell us what you did to Children's Aid Societies.

**Hon. Mr. Davis:** —I would have no trouble, if it happened to be tomorrow, saying to the people of Ontario—

**Mr. Deans:** Why don't you have it tomorrow?

**Hon. Mr. Davis:** —that in spite of the restraints, in spite of the difficulties, the people in this province happen to be served with the best system of medical delivery anywhere in Canada, including the socialist provinces.

I have no hesitation at all. I have no hesitation saying to the people of this province, the parents and the school students, in spite some of the observations over there, in spite of the difficulties the people of this—

**Mr. Conway:** Speech.

**Hon. Mr. Davis:** —province enjoy one of the finest educational systems. You did it the other night, too. I was substituting for your former great assistant, Dr. Shulman, and I was on with the head of the OSSTF and it came as a great revelation.

**Mr. Lewis:** Did you get paid as much as he does?

**Hon. Mr. Davis:** Heavens, no. Not only did I not get paid as much as he does, I didn't get anything. I was on—

**Mr. Lewis:** I didn't think so.

**Mr. Breithaupt:** He did it for free and he is worth every cent of it.

**Mr. Deputy Chairman:** Order, please.

**Hon. Mr. Davis:** —there with the head of the OSSTF and I wish you would tell the member for Armourdale (Mr. Givens) what he said. In spite of all the criticisms of the government and everything else, he made what I thought was a very interesting, very relevant statement. In spite of all the difficulties, the new head of the OSSTF said simply that we have the finest educational system in Canada, probably the finest in North America, I wish the member for Hamilton West would tell some of his colleagues that. These people have never debated it to quite the same extent. Mind you, it has been improved with the deletion of some 17 members now in this House, from the teaching ranks in the more active sense. That has helped.

As I am talking about some of these other things, I can tell the people of Ontario and the Islands something else—

**Mr. Conway:** Paul Yakabuski is going on sabbatical.

**Hon. Mr. Davis:** I can say to them, "Look at the economic experience in the Province of British Columbia." I can say to them, "Look at the economic situation here in this province."

**Mr. Breithaupt:** We can look at New Brunswick, too.

**Hon. Mr. Davis:** Look what we have been able to accomplish in terms of providing new job opportunities for people. Look what we have been able to achieve in terms of the many programmes which have been beneficial to the individuals of this province I can look them right in the eye, I say to the member for Wentworth, and say, "This government has served the interest of the people as individuals and collectively." If your leader tells the truth—

**Mr. Conway:** Tell them about John Yaremko.

**Mr. Samis:** Thirty-six per cent of the vote.

**Hon. Mr. Davis:** —which he usually does, he will have to tell them that if you people are elected you are going to curb individualism. You are going to kill the economy of this province and our economic future is zilch as a result. That's what I'll say on the hustings and it will be partially correct. That has nothing to do with these estimates.

**Mr. Warner:** Are you trying to be like Ronald Reagan or something?

**Mr. Deputy Chairman:** Order, please. The hon. member for Scarborough West; the hon. Leader of the Opposition has the floor.

**Mr. Lewis:** When I think that just 15 minutes ago I was in the placid little community of Vandorf, speaking to the socialist hordes at a nominating convention—

Interjections.

**Mr. Lewis:** As a matter of fact, three or four of them, I think it was. It was one of the many mass meetings which New Democrats address from time to time. I can't imagine why the Premier is so all fired up. Maybe it's because the Liberal leader talked about your developing retinue of sycophants.

I want to tell Clare Westcott, that's "syc," not "psy." I'll never forget the—

Interjection.

[10:15]

**Mr. Lewis:** As a matter of fact, I don't begrudge you an increased staff. No, I think my staff went from eight to nine after the election results.

**Mr. S. Smith:** You two guys really need each other.

**Hon. Mr. Davis:** Well, mine was reduced.

**Mr. Lewis:** Yours went from 400 to 723, or something of that kind, give or take a few hundred. I can't recall the specifics. In any event, I don't want to fight the election campaign with you tonight in the Legislature. You've got 23 people supporting you in your benches tonight. Out there, in the hustings, no one may support you. Why give you this tactical advantage?

Nor do I want to go over the old chestnuts with you. I say to the Premier, through the Chair, if he wants to fight the campaign on questions of individual initiative and what the NDP may or may not nationalize, and how real is our socialism, or how illusory is our socialism those are things you are welcome to trot out. We are prepared for it. I

will be glad to meet you on them—haven't got the slightest hesitation about it; I feel confident about the positions we are taking. I am not concerned about those kinds of things trotted out, and if that is the polarization which you want to achieve, more power to you. We will come back to you with certain other, perhaps, inconsistencies or inadequacies in the Tory record, and that too will be a part of the election campaign.

Interjection.

**Mr. Lewis:** But rather than fight it here in the Legislature, let's wait for the hustings. Let me say to you, I intend to enjoy every minute of it—even if I can't bear it, I am going to enjoy every single minute of it. I am quite looking forward—

**Mr. Shore:** How can you enjoy it if you cannot bear it?

**Mr. Lewis:** I knew the member from London would ask that question. I knew that you, Marvin Shore, would fix on that.

I want to come back to the Premier's estimates for something quite different. I want to talk to you briefly, very briefly, as the first magistrate of Ontario. I want to talk to you as the man who co-ordinates cabinet policy, and I don't want to go over all the programmes which have been contentious over the last several months. I want very briefly, and I hope in a constructive and useful way, to deal with a matter which was raised again in question period today and responded to by the Chairman of Cabinet, Mr. Brunelle. I want to pull together, very quickly, the situation in the northwest and appeal to you once again with the constructive proposition, in the hope that as this session winds down, it may be more palatable to you now than it was two or three weeks ago.

**Mr. Chairman,** I can't remove the partisanship from the issue, because that would be fraudulent. I feel it in a partisan way, but I can concede to the Premier that we have reached a point in time where clearly everything is kind of poised in the balance, and if, amongst all the members of the Legislature, it's possible to find an avenue of approach to the Indians of Whitedog and Grassy Narrows, to compensate for the unhappy succession of events over the last six years, then this is the moment to take hold. And if I can play to the Premier's prejudices for a moment, let me say to him that I also concede that it is complex and intricate and difficult, and given to complexity and obscurity which often many of us can't fathom, but certain



things are real and compelling, Mr. Chairman, through to the Premier.

No. 1, we are in a very serious potential crisis at the moment. The members of the Whitedog reserve have thrown a barrier across the reserve road. Within a matter of days, not to mention weeks, a number of tourist operators will be down here at the Premier's door begging for some kind of respite.

No. 2, the Chairman of Cabinet and the Minister of Natural Resources (Mr. Bernier), I am sure in good faith, went up to meet this last weekend with the Indians of Whitedog, and to their surprise and discomfort, the band council walked out on you after one hour of discussion. That's another nadir in this continuing controversy.

No. 3, you now have a report on the desk of the Minister of Health (Mr. F. S. Miller) from the doctors whom this government requested to visit Japan and Iraq to assess Minimata disease there, and to see how it might relate to the Province of Ontario. You have a report on the desk of the Minister of Health saying that the English-Wabigoon system should be closed to fishing in order to preserve the future health, at least of the guides. In other words, you have a series of matters coming to a head.

You had the quite controversial meeting of May 20 at which a series of factors were discussed—from the provision of a daycare centre for Whitedog through to the expansion of a sawmill for Grassy in order to find jobs. To top it all off, you had the fiasco of the freezer, which whether I was given to hyperbole and error or whether the Minister of Natural Resources was given to hyperbole and error, now seems totally inconsequential. What it does demonstrate is that we haven't even resolved the problem of the alternative food supply.

I assure the Premier in good faith that when one hears the responses coming from government one senses—and you as first minister alone are capable of delivering it—the need for a focus. One senses the need for a member of the Legislature—it must be a politician above the unrelenting myopia of the bureaucracy—someone in this Legislature or some small group in this Legislature who can cut through all the obstacles and resolve the issues one after the other. I really think that's possible.

I was amazed—and I must put it to Mr. Brunelle, Chairman of Cabinet—at the concession which the Whitedog band made. I thought they were going to come to you and say, "We want an end to all fishing in the

English-Wabigoon," period. That was the position they took on May 20. They've made a significant compromise since then. They have said: "We want an end to all fishing except fishing for fun—sport fishing. Just arrange to have the fish not eaten. We won't imperil the tourist operations. Just do that for us and we might be able to persuade our guides and a number of members of the band not to eat the fish."

That seems to me to be taking a pretty long step in the direction of government. It worries me that the Chairman of Cabinet charged with Indian matters and the Minister of Natural Resources didn't have the authority to say on the spot, "By God, that is an intelligent compromise. We will accept it. Now let's move on to items four, five, six and seven."

**Hon. Mr. Brunelle:** Do you not recall six years ago that fishing for fun was advocated, was brought in but that members said it would not be enforced?

**Mr. Lewis:** But no one said that eating the fish would be prohibited. And with all of the enforcing problems which I can see, if we did that or you did that, it would go enormous yards towards working out an amicable settlement. That's, I guess, what I'm coming back to the Premier with.

When the minister, the Chairman of Cabinet, responded today, he also rang in the Minister of Tourism and Industry (Mr. Bennett) who is apparently engaged in some particular peculiar dimension of his and as the member for Wilson Heights (Mr. Singer) pointed out, the Minister of Health was involved, and Natural Resources, Chairman of Cabinet, Tourism and Industry, Labour, Environment—all of these people were involved. No one seems to be giving it a focus.

I simply want to put to you, Mr. Premier, that someone should have the authority to say, "Take off your blockade, we'll enforce fishing for fun but not for food. We'll get the daycare money for you. We'll make sure that the dam is repaired in time for the wild rice crop of 1977 and that the lake water levels don't rise in 1976. We'll discuss the sawmill operation and attempt to expand it and we'll work like the devil to see if an alternative food supply can be found based on the new federal nutrition report," which landed in your laps less than two weeks ago.

I understand the terrific cultural gap. I understand the problems of communication.



I know we've tried. Everybody has tried and everything seems to break down. But there is this opportunity to grasp the nettle and solve the problem. The opportunity to make an inroad now is greater probably than any time in the last six years. It's all there poised on the edge. I think, if it isn't presumptuous, Mr. Premier, this is your opportunity to designate someone in this House. No one, at least in our party, would have any qualms if it was a first rate back-bench member of your caucus, or if you could work out a triumvirate in the Legislature and simply go in there and get the blessed job done, because everybody who's spent five minutes on those reserves understands that what is killing it is the never-ending set of obstacles which tie everybody up.

I really sense it's there. It's really there. If somebody would just take the first step and be given the authority and do it. I think that's a constructive suggestion. I think what happened last weekend attests to that; and what's happening now at Whitedog attests to that. And I think that when the Minister of Health tables his report tomorrow, it will attest to it.

And yet no one's doing it. With all the will in the world, everybody who is working is working at cross-purposes. I'm asking the Premier whether, in the next few days—I know it can't be done tonight—he might not reconsider that avenue yet again.

Because unless I'm wrong, if we break through on the English-Wabigoon River problem then we can break through on a succession of five or six other problems and do in a period of months what we've been unable to do in a period of years. And that seems to me to be worth the life of this minority government. That would make a real contribution if we did it in that way. And I'm appealing to the Premier on his estimates' time to do so.

**Hon. Mr. Davis:** Mr. Chairman, I appreciate what is the sincerity of the views expressed by the Leader of the Opposition. I also sense that over this period of time he personally has gained a greater appreciation of the complexity of the issue.

As I say, and I repeat what I said the other day, that as I read and listen to the observations made by members opposite that, once again, it is easier to delineate the problem than it is to, in fact, find solutions. While the Leader of the Opposition may feel that there isn't the degree of co-ordination—that ministries may be working

at cross-purposes—I can assure him that that is not factually the case.

I don't know that I share the same degree of optimism as the Leader of the Opposition, but the next short period of time may present an opportunity to us for a solution. I sincerely hope so. I hope that the fact that I do not see his suggestion that there be a three-member committee to deal with this issue—representatives from all three parties—is not considered to be a negative sort of response. I know something of the problem and I have spent some little time in discussing it and assessing it. I would say to him that I do not think that that mechanism or that solution would, in fact, be practicable or workable. I don't say that in any negative sort of way. That is an assessment I have made and I believe it to be right. But I can assure the Leader of the Opposition that this is a matter, obviously, of concern to the government.

I sometimes become a little annoyed with the criticisms of some ministers because it claims they lack sensitivity or interest. I just have to tell the Leader of the Opposition that is not true. It may be that we haven't found solutions, but I think there is a tendency on the part of some people who haven't lived with it, who don't know it, to oversimplify this issue. As the result, when you oversimplify it, then the solutions appear to be so easy—and, in fact, they are not.

But this matter, Mr. Chairman, through you to the Leader of the Opposition, is a matter of real concern to this government. We did make some positive steps. Why they haven't worked is still hard for some of us to understand. But we will be continuing to deal with it, I would say to the Leader of the Opposition, I sense in a way that is positive and, hopefully—and I say hopefully—will bear some measure of result. I don't want to become too optimistic, because I have been disappointed before, not just on this issue, but in the odd other one as well. But not because of the lack of effort or because of the lack of sensitivity on the part of the ministries involved.

I would also say to the Leader of the Opposition that I, like him, really don't want to start the election campaign here at 10:30 on this particular evening. But I do have to say to him that it was his colleague, the member for Wentworth, who did stimulate me somewhat tonight. He doesn't often. I don't find him that stimulating on some occasions, but tonight he was. He was a little provocative, and I had to tell him what I knew you would be doing when that election was called. I knew what, in fact, you would

be telling the people of Ontario, and I thought I would just share it with the rest of the House.

**Mr. Conway:** Dear old Santa Claus.

**Hon. Mr. Davis:** Yes, we're all set. Any time you people are ready. I've got to caution you a little bit; don't rush.

**Mr. Conway:** Come to my barbecue.

**Hon. Mr. Davis:** I offer that in the most constructive and sympathetic vein that I can. I say that to you in an attempt to be helpful, which has always been my way of trying to do things since assuming this—pardon?

**Mr. S. Smith:** Your great weakness is your helpfulness.

**Hon. Mr. Davis:** Well, I have been told by some of my very close friends that one of my weaknesses is that I am a little too sympathetic and too understanding. I think I have demonstrated that to the leader of the Liberal Party when I could have been anything but, and with some justification.

So I conclude my limited response to these estimates by thanking the members opposite for their enthusiastic endorsement of this amount of money, and their total support of the activities of the Premier of this province and, more importantly, his very dedicated, very loyal and very competent staff. I have been looking forward to this now for several days; I have spent hours getting ready for them, and I certainly do thank the members opposite for their enthusiastic support of this amount of money.

Vote 301 agreed to.

**Mr. Deputy Chairman:** This completes the estimates of the Office of the Premier.

**Mr. Conway:** Where is Eddie Goodman tonight?

## ESTIMATES, CABINET OFFICE

Vote 401 agreed to.

**Mr. Deputy Chairman:** This completes the estimates of the Cabinet Office.

Before I put the motion to rise and report, may I draw to the attention of the members of the committee that there are seven hours left in the committee of supply.

**Hon. Mr. Parrott** moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Deputy Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Parrott:** Mr. Speaker, before I move the adjournment of the House I would just reiterate what the House leader said would occur tomorrow morning at 10 o'clock. The Ministry of Health will resume its estimates and I think that will carry on between 10 and 1.

**Hon. Mr. Parrott** moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 p.m.

## ERRATUM

No.	Page	Col.	Line	Should read:
87	3455	1	22	changing that or eliminating the 22,000.



## APPENDIX

(See page 3672)

Answer to a question was tabled as follows:

59. Ms. Bryden—Inquiry of the Ministry: Would the Chairman of the Management Board table all Management Board orders made during March, 1976, and April, 1976?

Answer by the Chairman, Management Board of Cabinet:

The method of reporting Management Board orders to the House has been discussed with the Select Committee on the Fourth and Fifth Reports of the Ontario Commission on the Legislature in relation to their proposals on supply. It has been decided that the most useful method of reporting Management Board orders would be to combine them with the Treasurer's quarterly financial reports as a supplement. This will permit explanations to be given for the major variances in expenditure from the expenditure estimates.

The Management Board orders authorized by Management Board during 1975-1976 will be published in the Treasurer's Financial Report for 1975-1976, which will be available this summer.



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Government  
Publications

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Tuesday, June 22, 1976

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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TUESDAY, JUNE 22, 1976

The House met at 10 a.m.

Prayers.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 12th order, House in committee of supply.

### ESTIMATES, MINISTRY OF HEALTH

**Mr. Deputy Chairman:** Perhaps I should mention to the hon. members of the committee that seven hours remain in the committee of supply. Does the hon. Minister of Health wish to make any opening comments?

**Hon. F. S. Miller:** Mr. Chairman, I have just been moved to another seat and am moving my equipment.

**Mr. Deputy Chairman:** While we're waiting for the hon. minister, perhaps it would be in order for the Chair to remind the hon. members of the committee that the stacked votes in the committee of the whole House will take place after the question period this afternoon.

**Hon. Mr. Welch:** Mr. Chairman, if I might at this point, it was our plan after routine proceedings this afternoon to clear up the work that's in committee of the whole House, do our third readings, put government notice of motion No. 6 before the House and then go back to these estimates until they're finished.

There is a motion on the floor now, and I know we're in committee, and I would like some direction from the committee that we would go through the lunch hour. That's not really necessary today. If, in fact, we wanted to break between 1 and 2, we could decide at 6 o'clock how much more time we might need to complete these estimates. I'm in the committee's hands as to whether or not we would like to rise at 1 and have a break between 1 and 2, or sit through lunch.

**Mr. Deans:** Mr. Chairman, I think we should have a break between 1 and 2 today and a dinner break as well. I think we have sufficient time today to complete all the work that's before us and it makes no sense to sit

all day as we did yesterday. I think it tends to be a bit much.

**Hon. Mr. Welch:** How would it be if we agree to break between 1 and 2 anyway and we could see where we are as we get closer to 6 o'clock?

**Mr. Deputy Chairman:** It is the understanding of the committee that we will rise at 1 o'clock. Agreed?

**Mr. Nixon:** There will be seven or eight people here between 1 and 2 whether we are sitting or not.

**Hon. Mr. Welch:** What do you want to do?

**Mr. Deputy Chairman:** The committee will rise at 1 o'clock.

**Hon. Mr. Welch:** Actually, by resolution of the House, we in fact are sitting until 2 unless we agree otherwise, so that's why I'm raising the question now.

**Mr. Deans:** If I can put it this way to you, since I'm likely to be one of the seven or eight who will be here, I'd rather rise and have lunch.

**Mr. Nixon:** Since I am one of the seven or eight who will be here, I say let's sit.

**Mr. Deputy Chairman:** Perhaps it might be in order for the—

**Hon. Mr. Welch:** I think I grasp the consensus to be that we will sit. Therefore, we will go from 10 to 2, and then we'll have routine proceedings at 2 and we'll break at suppertime in the regular way, depending on circumstances at that time.

**Mr. Deputy Chairman:** The hon. Minister of Health.

**Hon. F. S. Miller:** Mr. Chairman, it is now certain that I will be one of the seven or eight here between 1 and 2.

**Mr. Deans:** I thought you weren't supposed to work that long?

**Hon. F. S. Miller:** I believe that was the intent of the House, to try to let me have an hour's rest, but I don't think it matters.

**Mr. Deans:** That's what I was hoping for, but obviously the Liberals don't care about your health.

**Hon. F. S. Miller:** Mr. Chairman, before I read my opening statement, perhaps I could have it distributed to the members.

**Mr. Nixon:** Mr. Chairman, on a point of order. I just don't know how serious that exchange is.

**Mr. Deans:** Oh, it was a joke.

**Mr. Nixon:** Because, obviously, anytime the Minister of Health feels these proceedings ought to adjourn for a while we are more than willing to do so.

**Hon. F. S. Miller:** Mr. Chairman, I do appreciate the sincerity of that. I was asked by the House leader if I could, in fact, stand four hours at a time. The answer is yes I can. I will not be present during question period as a result of it, but since you will have me all day on the grill anyway, I think probably you can miss me at question period.

Before I begin my opening statement, I know the Ministry of Health estimates are sometimes difficult for the members to discuss in a sequence that suits them, because they are never quite sure under which vote a particular topic might fall.

Last year, we rushed into trying to get some printed material. This time, I have enough pieces of paper here, which I'd like to distribute, showing the vote and the item so that the members of the opposition parties and our own party will know roughly where a particular topic pops up. I think it would be wise if, in fact, albeit we only have seven hours, we try to discuss them item by item in sequence rather than doing what we've done in the past and that is cover all topics at one time. I hope and trust then that the items of interest will get the time they deserve.

I would like to open my estimates debate with a statement that I hope will put into perspective some significant changes that have recently taken place in our health programmes. I'm sure the members are well aware that since the 1950s there has been a steady escalation in the number of public services provided by government, particularly in the social service areas.

This quite properly was brought about by ever increasing public demand. The public felt that an industrialized, affluent society should provide appropriate hospital, medical and social services. The federal government bowed to this pressure and introduced, first,

universal hospital care, and then later a universal medical care scheme, neither of which had any flexibility in meeting varying provincial needs.

As we all so well know, the British North America Act delineates federal and provincial powers. It is the specific responsibility of the provinces to provide for the legislative, regulatory, financial and service components of health care. The federal government through its national taxing scheme altered this through financial manipulation, which warped the natural evolution of a balanced health care system. The responsibility of providing services has remained with the provinces. But, until now, we have been unable totally to call the shot. This government has fully accepted the responsibility of protecting the public from health hazards, of preventing the outbreak and spread of disease and of providing for care of the sick and the injured.

As health services came under the hospital and medical care insurance plans, expectations and demands of both the public and of professionals providing health care have increasingly strained our financial resources. The situation became difficult to control and financially intolerable with large wage settlements, rising cost of products and a high rate of inflation. Under the federal shared-cost programme, services tended to gravitate toward hospitals because of the funding scheme and availability of 50-cent dollars from the federal government—that's on a Canada-wide basis. This overburdened the system with expensive, top-heavy hospital facilities offering a variety of services which could have been delivered in a less costly manner if they had been cost-shared.

Even though there was no federal funding, this province took the initiative of introducing insurance coverage for nursing homes. This has added to the rising costs but it was needed to achieve a balance in the system and to lessen the work load of acute treatment facilities while still providing long-term health care for senior citizens. While this was happening, the economic climate was changing and inflation began taking its toll.

There have been reams of reports and dozens of investigations and task forces looking into health care services and making hundreds of recommendations on the organization of a balanced health care system. We knew something had to be done to rationalize health care and its rapidly increasing cost. The limitations of shared-cost programmes have repeatedly been brought to the attention of the federal government without success in many rounds of our federal-provincial



meetings. Federal counter-proposals were found unacceptable to the majority of provinces, because they put them at a financial disadvantage in providing health care.

**Mr. S. Smith:** Excuse me. On a point of order, Mr. Chairman, I apologize for interrupting but would the minister prefer to make his remarks while seated?

**Hon. F. S. Miller:** No. I'm fine.

**Mr. S. Smith:** It certainly wouldn't matter to us at all.

**Hon. F. S. Miller:** Thank you, I'm quite okay. They've got me on a training programme these days. I turn out to have better wind power than most of you who are not suffering from heart trouble.

**Mr. S. Smith:** I was hoping then I could make my remarks sitting down.

**Hon. F. S. Miller:** In your case, you may need it. I would say prevention is the best part of this deal.

**Mr. R. S. Smith:** You have to start early though.

**Hon. F. S. Miller:** Yes.

As members are aware, the first ministers were in Ottawa last week to work out a new basis for shared-cost programmes which will be fairer to all parties. The federal government put forward a proposal of combined tax points and cash which reflects ideas Ontario has put forward over the past decade. This was a positive step toward improving the accountability and flexibility of the partners in Confederation and toward the removal of petty administrative details.

The federal proposal partially transforms conditional federal grants into unconditional form. However, it does not present the comprehensive reform we would like to see in health financing. It deals with only part of the total health programme and leaves out such vital components as psychiatric care and nursing homes. I have to point out, however, that there are a number of details to be worked out and I think it's premature for us to prejudge the package offered. It's a significant step forward in our opinion in any event.

[10:15]

Under the proposal, the federal government has suggested a global health review. Our Premier (Mr. Davis) had said a review was not necessary and that a more constructive approach would be to include all alternative forms of health care in the present financial base. This would be in keeping with the spirit of the federal proposal and would

spare us yet another exhaustive study. I think the Premier's words were that health has been studied, restudied and restudied in the last few years. We have volumes and volumes of studies. The time has come to act.

As members are well aware, we in Ontario are not alone in our attempts to achieve affordable health care. All jurisdictions across Canada are faced with containing health care costs.

I would like to report on the progress of our constraint programme. Initially, we estimated a total saving of \$48.2 million from hospital closures and selected budgetary controls. Breaking this figure down, it meant \$37.8 million would have been saved through bed closings and budget controls, and a further \$10.4 million through hospital closures. With respect to hospital closures, the members are aware that four hospitals have been affected by the division court decision with respect to closure by the province. The government is respecting that decision while launching an appeal against the decision of the court. Four hospitals have closed.

During the time required for the appeal, the hospitals will, of course, continue to operate financially under the general funding principles of the ministry. Should the appeal fail, the government will consider possible legislative action. To do so now, however, would be to prejudge the appeal process, about which we are hopeful.

Because of the court decision and the adjustments in our control programme, the projected net constraint saving amounts to \$23.3 million in total; or \$22 million from bed closures and budgetary controls, and about \$1.3 million from hospital closures.

In general, hospitals have been very co-operative and have tried to live within the established guidelines. That is not to say that these guidelines were perfect. There is room for improvement and we have been working closely with hospitals in their submissions.

I am also pleased to report that we have been successful in our constraint programme as it related to the closing of psychiatric hospitals and public laboratories. Along with the savings achieved in the public hospital sector, another \$3.4 million has been saved by converting the provincial psychiatric hospitals at Goderich and Timmins. A further \$375,000 net savings this year will be realized through the closure of four laboratories, even with the expenses attendant on closure.

This government is making a substantial saving, a total in excess of \$27 million this year, but what is more important is that these savings will be realized annually, thereby



saving Ontario taxpayers many more millions of dollars in the future.

Within the Ministry of Health itself we have made determined efforts to make savings ourselves. In fact, the ministry has reduced its staff by 2,192 persons in the past two years—staff at all levels, including senior management. That's roughly two-thirds of the provincial total. We have consolidated branches and divisions within the ministry to streamline operations and improve management.

Earlier this month, I spoke about the measures we have taken to strengthen this ministry's occupational health protection branch. These measures include changes within the branch organization and management, and the "beefing up" of staff.

At the time of the original statement on occupational and environmental health I indicated there was a shortage of occupational health personnel. I am now pleased to report that my ministry has made an inventory of all occupational health manpower within the province and has contacted all health science centres to encourage them to train occupational health specialists. It is expected that by 1977-1978 there will be a substantial increase in the number being trained.

The "Interministerial Accord on Occupational and Environmental Health" was completed in draft form in October, 1975. Implementation of the accord is being effected through regular meetings of the four deputy ministers and through an interministerial standing committee on occupational and environmental health.

I would now like to discuss the Ontario Health Insurance Plan. During 1975-1976, 8,240,000 Ontario residents were covered under OHIP. There were 50.1 million claims representing a total of \$728.3 million. Another \$13.8 million was paid out for non-fee for service payments, which include doctors' salaries, sessional and capitation payments. In total then, the plan paid out \$742.1 million. For the record, I would like to note that administrative costs were only 5.06 per cent of the total expenditures which compares favourably with other similar health insurance plans.

Under OHIP we have active committees which review and scrutinize professional activity and billing procedures. These are the medical review committee and the practitioner review committees. The medical review committee deals with physicians and the practitioner review committees deal with chiropractors, chiropodists, optometrists and dentists. These committees monitor the professions' billing practices.

I would also like to touch on the drug benefit plan which in 1975 covered one million Ontarians. One million prescriptions a month are filled under the programme which provides drugs to persons over 65 or on family benefit, extended care patients or home care patients, people receiving vocational rehabilitation and indigent diabetics. In September, we will be adding general welfare recipients as well. The average drug benefit prescription was 68 cents less or 16 per cent lower than the overall average paid by other drug insurance plans, like Blue Cross or Green Shield. The control features of the drug benefit plan were responsible for the savings.

Medical manpower planning is important. The ministry has supported a careful review of specialty and family-practice manpower needs by the medical profession and medical schools. The rate of physician immigration has now been brought under control in Ontario. Between July 1, 1975, and March 31, 1976, 81 immigrant doctors were admitted, nine with a landed status. This compares to 236 in the first six months of the year. The distribution of physicians is improving. The underserved area programme has been successful in placing doctors and to a degree dentists and nurses in communities previously with inadequate health care.

With respect to controlling laboratory costs, I indicated several days ago that legislation controlling laboratories, specifically Bill 59, will remain on the order paper but will not go forward this session. We intend thoroughly to review it with a view to amending it. I would like to outline for the House today some of the specific steps this government is presently taking to control the cost of medical laboratory services in this province.

Regulations are being developed under the Public Health Act to control conflicts of interest in the ownership of laboratories. I can say that that legislation or regulation is practised and we are simply awaiting a series of appendices to it to be included in the regulations naming labs by specific location. Regulations under the Health Disciplines Act are also being drafted to eliminate kickbacks. Again, I believe those have been circulated to the various professions in the last few days. In addition, a new laboratory test requisition form is being developed to discourage unnecessary utilization of medical laboratories. I can also say that new requisition form clearly states the cost of each laboratory procedure ordered by the doctor so that he will be aware of the cost.

Reimbursement mechanisms for laboratory procedures are currently under consideration.



Global budgets, tendering and other mechanisms all have strong points and, unfortunately, weaknesses, all of which we will take into consideration. The methods of reimbursement of both private and hospital labs are under review for obvious reasons. We are faced with rapidly escalating utilization and costs in the private sector, a factor that has been promoted by vigorous and aggressive marketing techniques on the part of private lab owners. Also, current mechanisms must be revised to provide some incentives to hospitals to use their laboratory capacities more fully by doing more of their own outpatient tests.

Our effort in the first instance will be geared toward the limitation of growth of medical laboratory workload while encouraging shift in volumes to the hospital labs. Sixteen regional advisory laboratory committees are studying available spare capacity in hospital and public health laboratory services to assess the possibilities of increasing their share of outpatient testing. The committee is developing proposals for a regional laboratory system which will make maximum use of resources, eliminate duplication of services and equipment and make labs more cost-effective.

I have outlined a few of the areas of current interest in the Ministry of Health and its historical financial perspective. We've had our difficulties in aligning health care service to meet the legitimate needs of our citizens, but on the whole we've had a positive response both from the public at large and those who provide health care services. Everyone recognizes the need for eliminating unnecessary costs.

We have one of the best health care systems in the world and we should be proud of it. We are in a new era of challenge and change that can ensure a reasonable, affordable and rational health care system without sacrificing quality. This government has taken effective bold steps in this regard.

Apart from the prepared statement, I wanted to refer, if I may, to the Browndale situation and the request that the auditors' study be summarized in this House, since this is my last opportunity to do so. While I haven't got a prepared statement, I'd like to sketch out the information given to me.

I might indulge the interest of the leader of the Liberal Party because I'm going to talk about Browndale right now and I thought perhaps he might want to hear it. As you know, the internal auditors of the Ministry of Health have looked into the Browndale

situation; at the same time, I understand the Attorney General is looking at certain aspects of the Browndale operation. I can't speak for those things taking place in his ministry because I'm not aware of them in detail. However, I can summarize our ministry's findings. I'm going to read parts of the report to me.

Our auditors found three areas in question when they looked through Browndale's expenditures and accounting methods. The first was the overcounting of children days. As I'm sure you know, they are paid on a certain per diem per child in care. Browndale has overcounted the number of patient days by 145 in 1974 and 161 in 1975. These were included in the days they reported to us and they were paid at the approved per diem rates. Overpayment amounts to \$8,700 in 1974 and \$10,600 in 1975, for a total of \$19,300. As this is an incorrect count of days, we have requested the money back from Browndale and I understand it will be paid.

I'll digress a second to point out they were counting the day of arrival and the day of departure in their days and that is not according to regulations. You count either the one or the other but not both.

The second issue was expenditures on houses in Don Vale. The auditors found that in 1974, Browndale Ontario had entered into a lease for 10 houses in the Don Vale area. These houses were on Winchester St., Sumach St. and Gerrard St. A number of expenditures were made for rent, taxes, furniture and equipment and property improvement. These totalled \$368,810 on the 10 homes. Browndale Ontario paid for these expenditures out of the funds which were flowed to them on the per diem rate; they weren't extra moneys given to them.

[10:30]

At this point, our ministry questioned whether that was the appropriate use of the per diem money. Now, as you know, if a person is paid money on a per diem there is no specific requirement that it go for a particular part of the programme. Our auditor stated to Mrs. Brown that he did not consider this to be an allowable cost under the regulations, and that a refund should be made to the ministry. Mrs. Brown has stated to us that she's consulted her lawyer, and that, in his opinion, the amount paid on a per diem basis was a global amount as the price for their services and that Browndale had discretion as to how it should be used for the programme.



This may well be the correct assessment, but this is under discussion right now. I would have to point out to the House that there is no question our ministry encouraged Browndale to believe that some of those homes would be licensed two years ago, because it was part of our urban re-entry programme and we felt homes had to be provided for children who were otherwise in areas like Haliburton, closer to their homes and more adaptable to the city environment.

The purpose, as you know, of the four-phase programme is perhaps to get children out into the country for a while who need to be stabilized, but before they can return to their parents they often require some time in residence in a city environment. I can safely say though that the reaction of the community of Don Vale, through the Don Vale residents association and ratepayers association, was such that this ministry did not move forward with the licensing of those homes.

The last issue that the auditor referred to was the question of the management contract with Browndale National, and the possible duplication of payments by Browndale Ontario. I believe, in the Browndale budget, something in the order of \$900,000 in a year is paid from Browndale Ontario to Browndale National for training services and for professional help. Our concern was that, in fact, that money may have been transferred without services being given in return. This was the point on which we were waiting for extra information.

We requested details from Browndale Ontario as to the names of the people on the payroll of Browndale National and Browndale Ontario during the periods in question. That information was given to us last week, partially by Browndale National, partially by Browndale Ontario. I can say a quick perusal of it would seem to indicate that there was no incorrect billing. I'm going to reserve final judgement, since the last papers just arrived Friday morning, until the auditors have had more opportunity to review carefully the exact names and, if possible, the salaries attached to them so that we're satisfied on that.

Browndale remains at a per diem rate in the range of \$65.94 per child per day. The highest rate that we pay to similar organizations is \$84.29 a day; the lowest rate we pay is to Youthdale at \$36.28 a day, and Browndale is just about in the middle of that system. Of the \$65.94 paid per day, \$61.45 is for residential care, the balance is for outpatient care.

**Mr. Duksza:** Mr. Chairman, the minister has more than difficulties in management of his ministry. The Ministry of Health wrought havoc in this province in its recent attempt to close nine general and two psychiatric hospitals, while at the same time demonstrating its utter disorganization, mismanagement and incompetence. It brought about this chaos, moreover, not because it had to, not as a result of a careful and studied professional decision, and not in an effort to improve the health and well-being of the people of Ontario. It tried to close these hospitals because the minister and his aides have run out of ideas because the health system is, in fact, out of control administratively, and because the ministry had to make some feeble attempt to convince the people that it was doing something. In other words, the ministry was forced to try to close these hospitals in order to prop up its own failing public image.

The ministry estimated it would save \$13 million by closing these hospitals. This figure, however, is totally illusory because the so-called savings would have been largely picked up again as costs by other hospitals, the federal government and the Ministry of Community and Social Services. Indeed, it was only the action of the divisional court in ruling that the government did not have the authority to close the hospitals that saved the Conservative government from further embarrassment.

Let us look at these supposed savings carefully. As I say, originally the ministry estimated savings from closing hospitals would be a total of about \$13 million, but the divisional court decision removed virtually \$9 million of this. Add on to that the costs of opening mental retardation resources centres of \$4 million to replace the closed psychiatric hospitals and you get a figure of \$13 million. When you subtract that from the original estimate you are left with savings as a result of the closing of only \$536,100.

In effect then, the most that the ministry could have hoped actually to save would have been about half a million dollars. This should be related to the total health budget for this province of more than \$3.4 billion. And at what cost? At the cost of enormous inconvenience, dislocation and personal agony for the health workers involved and the people they served. This rhetorical exercise produced a flurry of spurious activity and real excitement and anger throughout Ontario. It also served to point out the main structural defects of the system that is the responsibility of the Minister of Health.



Under this futile restraint programme of closing hospitals and public labs lies a much more significant theme. Successive Ministers of Health have again and again stated that their responsibility was to clean up the Ontario health care system. But this cleaning up has always been interpreted in terms of a right-wing desire to move in favour of private decisions and high costs rather than public planning and co-ordination. What puzzles so many people in the community health field, as well as health systems analysts and even the public at large, is the minister's determined resistance to change and his inability to reform or restructure his ministry, that is, to operate when the need for surgery is already obvious and imperative.

**Mr. Warner:** Resign.

**Mr. Duksza:** What most casual observers and even professional people fail to understand is that decisions for change at the ministry are not based on technical and value-free criteria but on political and ideological grounds. The favourite literary conceit of the present Minister of Health is to describe himself as a simple engineer—just a folksy systems analyst who responds according to need.

**Mr. Laughren:** That's the minister.

**Mr. Duksza:** Of course, the minister is nothing of the sort. He is a complicated, intransigent ideologue of the right with a messianic belief in the so-called free market economy.

**Hon. F. S. Miller:** I think I could rise on a point of privilege at that. That's the nicest thing anybody has ever said about me.

**Mr. Duksza:** He states repeatedly, even if all public health services couldn't be sold off to the private sector, still nothing should be done to interfere with the present dominance of health care by that private sector.

**Mr. S. Smith:** Where is the member for Durham West (Mr. Godfrey) today?

**Mr. Duksza:** As a result, when it comes to actually controlling the cost of the health system, the minister is really a sheep in wolf's clothing. When the minister early this year was extravagantly journeying to and from about the province closing small hospitals, he said it was to save money, but saving on paper probably no more than a million dollars increasing the real costs by several million.

He reminds me of Count Potemkin, pointing out from a distance the painted back-

drops of tidy villages to Empress Catherine II, in order to persuade her that he was competent to manage the welfare of her subjects. Our own Potemkin, the Minister of Health, closes four public labs and gives \$20 million of unnecessary money to the corrupt private lab system, where the work done is often unnecessary and simply designed to line the pockets of the owners and the referring physicians, who indeed often seem to be the same people.

This incompetence, this mismanagement and this ideologically based intransigence in the face of real and pressing problems are serious enough in themselves. But the problem does not stop there. It goes much deeper. The minister, his aides, his officers, indeed the entire Ministry of Health fails to understand, and as a result to deal with, a crucial facet of the relationship between sickness and health, between illness and well-being. "Health" is not simply the absence of "sickness," and "well-being" goes beyond the absence of "illness."

Because of this, the Ministry of Health cannot, like a fire department, simply respond to illness or sickness when it occurs. It must actively seek out ways of improving people's health and obliterating the sources of threats to their well-being. It must be proactive rather than simply reactive. The ministry is not only opposed to this under the rubric of its so-called "free market economy," but is actually incapable of it anyway under its present leadership.

It has always been clear that not only have the greatest advances been made in preventive medicine, but that, logically, primary prevention should take precedence over any simply reactive medical system, despite whatever short-term gains may be made through that type of system. The development in western medicine toward allopathic medicine instead of towards a more holistic preventive type of approach has resulted in the development of acute illness centres and remarkable advancements in diagnosis, treatment and even success in some aspects of medicine. Meanwhile, however, the whole area of concern in health which covers nutrition, health education and occupational health has been largely abandoned.

The medical model which has resulted in such remarkable success in acute treatment cannot simply be applied to preventive medicine. Primary medical care can function only by using a different set of strategies.

Let me expand on this. The use of this medical model has led physicians to perform



too many procedures on largely healthy individuals. For example, the physical examination, which is quite useful in determining the cause of a complaint once an individual already knows there is something wrong, has failed to yield expected results when the individual being examined thinks of himself as healthy. The majority of procedures such as this general examination have been quite unsuccessful in detecting disease, and in effect have been a misuse of the physician's time.

In a significant article entitled "Preventive Medicine by Risk Factor Analysis," published in JAMA, Oct. 16, 1972, D. G. Miller has specified that the criteria for examination should be three-fold.

1. The disease should have public health significance in the population.

2. There should be a clear benefit to the patient as a result of early case detection. There is no gain to the patient or to society in the early detection of a disease which cannot be ameliorated or whose outcome is unalterable.

3. An acceptable diagnostic procedure should be available for the early detection of the disease.

One way of estimating the benefit of early diagnosis is to compare the mortality with the incidence of a disease. When mortality approaches incidence, one can conclude that there is little efficacy in early diagnosis and treatment. For example, some malignant neoplasms have an inexorable course irrespective of what is done. In others, like cancer of the breast, the survival rate is affected by early detection, diagnosis and treatment. Here palpation can be largely done by the patient herself if she is properly prepared. This would lead to early diagnosis by a physician, then mammography, cytological tests and correction through surgery if necessary. This will affect the mortality rate.

If we have a wholly reactive medical system—and we will as long as we have a government in power which only sees its role as the passive paymaster for medical care provided by a private sector—overall strategies for treatment of disease like this cannot be carried out. It requires an intelligent, active and planned approach to health care.

In cases where highly significant diseases can be detected in the early stages and where early detection can reduce mortality, large scale screenings should be carried out. We are accustomed to this for such individual diseases as tuberculosis, syphilis, diabetes, and cancer of the cervix. In each of these

cases the whole structure of our health care system moves decisively to deal with the disease once it occurs, and often quite successfully.

[10:45]

Our medical system, however, is not oriented to prevent illness before it occurs. As a result, we are so far from being vigilant that our health system now appears unable to deal with important dangers to public health. We have simply accepted our inheritance of great 19th century public health programmes, like sanitation and inoculation, but we have allowed them to run down and have not been as vigilant as we should in this area. There are recent studies showing alarming gaps in our programme for inoculation of school children. Ontario is now almost alone in the world in using the Salk vaccine as a means of inoculation against poliomyelitis as opposed to the preferred Sabin vaccine.

We in the New Democratic Party have for many years criticized this government's lack of commitment to preventive health services. This year the failure has become even more apparent. In the rash of hospital closings and hospital budget cuts, no serious consideration was given to replacing the services being destroyed with community-based primary and preventive services. At the same time that acute services are to be cut, public health services are frozen.

If one were seriously concerned about the misallocation of resources in a health system, concerned about the lack of preventive services, about the failures of the reactive medical model, surely one does not cut preventive services spending. Is it not ironic that in this era of rising health costs payments to physicians are increasing by 16 per cent this year, operating costs for hospitals by 18 per cent and operating costs to local health units by only 8 per cent? Does this not reflect the distorted priorities of our present government?

When questioned about public disease control measures, an important part of this reactive system, the Ministry of Health is typically vague. On two occasions the minister and the acting minister have been asked in this House about measures being taken by the Ontario government to isolate certain new types of highly infectious diseases which may be introduced into Canada by travellers, in particular about the extremely virulent West African disease, Lassa fever, which kills 30 per cent to 50 per cent of those who contract it and for which there is no known cure. On one occasion, the minister replied that "negotiations are under way concerning the use of



the National Defence Medical Centre in Ottawa" which, in any case, can only accommodate three such cases. What is Ontario going to do? The answer apparently is nothing.

It is difficult to believe in your good intentions even in your understanding of the problems in health care, when you react as you did on another occasion, on Thursday, June 10, 1976, when I asked you the following question:

**Mr. Duksza:** A couple of weeks ago 12 monkeys died suddenly at the Metro Zoo. I want to ask the minister a three-part question about this. Does he know what the monkeys have died of? Has he isolated the virus? If not, what would he have done, if it was a Marburg virus, to isolate the 20 or 30 people who were exposed who would have been in need of treatment, in view of the fact that the ministry doesn't have any preparations and there is capacity only to isolate about three to four people?

**Hon. F. S. Miller:** I didn't realize the member is expanding my field. [And then you went on to joke] Mind you, Mr. Speaker, I have been dealing with them across the House for some time.

It obviously appeared very funny to you that I would ask you about the death of the 12 monkeys, and you riposted like a clever school boy. The point was of course that the Marburg virus infects both humans and monkeys. The Marburg disease virus is related to the Lassa fever which, as I have just said, is fatal to 30 per cent to 50 per cent of human contacts.

The minister should also bear in mind—and obviously doesn't—that diseases of this kind are particularly dangerous to health workers. The morbidity and mortality rate for Lassa fever is especially high for nurses and lab technicians. While modern techniques for reducing risks to health workers from such diseases exist, the government hasn't even considered introducing them. This kind of failure to protect health workers is symptomatic of the Conservatives' general failure to act in the areas of occupational health and safety, which in turn is due in part at least to its reactive model of health care.

Let me contrast how the preventive model and the medical model work when it comes to an occupation-caused disease. Mesothelioma is a rare but very dangerous form of lung cancer. If we accept the medical model approach, prevalent now both in organized medicine and in the Ministry of Health, then early detection and treatment can be provided within our system. When an affected individual has a complaint, pain, discomfort or cough, the individual sees his doctor, a diagnosis is made and the individual enters the medical system; or possibly a regular x-ray test detects the turnover on a routine screening and the individual again enters the smooth,

efficient medical system of diagnosis and treatment.

But mesothelioma, although rare, is now recognized as having a causal relationship with asbestos. You don't have to work with asbestos to get it; you just have to be around asbestos. A study conducted at the London School of Hygiene into 76 cases of mesothelioma showed that nine out of 45 cases had not even worked with asbestos, but lived in the household of an asbestos worker. A further 11 lived within half a mile of an asbestos factory.

Dr. Irving Selikoff, of Mount Sinai School of Medicine in New York, in his address to the Ontario NDP convention on June 12, 1976, gave examples of people developing lung cancer who never worked with asbestos: "One was a daughter of a plant manager who used to bring his company's products home. Another used to bring her husband meals at the asbestos factory where he worked."

We can prevent mesothelioma, if we control the process of producing asbestos. This would not only reduce the incidence of mesothelioma but reduce significantly both the human suffering and the financial cost of dealing with the disease once it is established.

To give another example, money spent on purifying drinking water when dealing with typhoid is a far more humane and thrifty use of health care dollars than to simply wait for people to be struck down by typhoid and then to treat the disease.

To sum up, the ministry reacts to health problems, again and again, only when they actually occur and when they lead to public outcry. This is why the ministry is not dealing at the origin level with the problems of coke oven emissions, uranium, lead, vinyl chloride, arsenic and other noxious substances which significantly affect workers' health.

Instead, what should be done? An active, carefully planned and thoughtful attack on these problems—a proactive attack, rather than a reactive one—would begin with a three level approach to prevention:

1. The primary level of prevention can be defined as an exhaustive analysis of all present and future industrial products, and control of immediately dangerous substances before they produce both short and long-term problems.

2. The secondary preventive level consists of a vigorous clinical system of detection, supervision, monitoring and treatment of health problems once they occur.



3. At the tertiary level, rehabilitation, retraining, compensation and income maintenance must be provided for the worker and his family, or the family alone if the worker is killed.

The government of Ontario fails at the primary level, where the provincial system of monitoring industrial products is minimal. We have no estimates of workers at health risk from occupational hazards in mines, factories or the construction industries, or from radiation, airborne contaminants, noise, toxic substances and direct physical hazards such as occur in construction work.

You, the government of Ontario, fail dismally at the secondary level. We lack a general reporting system in Ontario. Hence, we have no adequate data base for analysing, preventing and dealing with health problems, particularly occupation-related ones.

One obvious source for such information which is not being used by the government would be OHIP data. For instance, 8.9 per cent of separations from hospital are from accidents, poison and violence, a rate of 15.3 per 1,000. In order to accurately assess occupational health risks, what we need to know is what proportion of these accidents is due to injury or hazard at work, and what proportion of other, non-accident diseases can be attributed to conditions of work.

If OHIP subscribers were coded as to workplace and occupation, these rates could be determined for a specific workplace. Then it would be a simple matter for an employer with an unusual incidence of injury and health problems to be investigated and taxed for his failure to protect the safety and health of his employees.

One result, then, of this passive model of health care adopted by the ministry has been that the province has in effect left major decisions about industrial pollution up to private industry, and within the ministry concern for such problems has been assigned to doctors or to ministry experts—experts who are totally involved in the passive medical model which allows only for dealing with the incidence of illness once it occurs, and not its prevention. Ontario's government, in fact, though clearly entrusted with the responsibility for occupational health, has failed to deal with this lack of any reporting system. Each ministry passes on the responsibility to someone else.

Again, without an efficient centralized reporting system there can be no co-ordination of the workers' own doctors. Workers from the same plant often see different doctors. Their physical problems are reported individually and thus are never seen as a collec-

tive problem arising from the work situation. At the treatment level the workers are also separated, and it is assumed that the problem is uniquely that of each individual worker and not connected at all with that worker's environment. In this way asbestos becomes the problem of the worker in the asbestos factory and not of the management of the factory.

This tendency is aggravated and augmented by the way the ministry generally views health, that it is the individual's problem rather than a social one. Then it naturally follows that individual causes for these problems are sought. Thus, in the face of massive evidence to the contrary, we should still not be surprised that the present minister has consistently espoused the view of patients that they are careless, greedy, and lazy. He obviously holds to the concepts of accident proneness and employee carelessness as a way of explaining work-related accidents.

The Workmen's Compensation Board are particularly enthusiastic exponents of this attitude. An injured worker is initially and automatically assumed to be at fault. The burden is on the worker to prove he was not at fault, even when, as is unfortunately often the case in our province, working conditions are so primitive as to be unspeakable. All too often in fact it is easier to shift the blame from the working conditions to the worker. The primary result of this approach is to guarantee that the Ministry of Health and the Ministry of Labour will never have to deal with conditions in industrial plants. At the tertiary level of prevention, Ontario's system of rehabilitation, retraining, compensation and income maintenance is grossly inadequate.

Let us now look at some horrifying statistics of the incidence of industrial-caused disease. In a study of male laryngeal cancer patients at Toronto General Hospital in May, 1974, researchers found that 23 per cent of the victims had been exposed to asbestos at some time in their lives. A report issued by the Mount Sinai school of medicine after a two-year study of conditions at Thetford Mines in Quebec showed that 61 per cent of asbestos workers with 20 years or more service were suffering from lung abnormalities and 52 per cent were afflicted with asbestosis.

The asbestos industry reacted by denial, public relations campaigns, dissimulation, dissembling and outright lying. Characteristically, attempts were made to blame workers' smoking as the reason for lung problems. Canadian Johns-Manville Co. Ltd. recently closed an asbestos mine in northern Ontario, because the company stated it found it impossible to comply with weak provincial guidelines as to



maximum permissible exposure to asbestos fibres.

In the US the National Safety Council has reported mining and agricultural work as being among the most hazardous occupations in terms of deaths or accidents. In Ontario, which has a higher proportion of workers in these areas, we have hardly begun to recognize the implications of this, much less to deal with them. The amount of money the government spends on occupational health is minuscule in comparison with the majority of European countries, even those without progressive or socialist governments.

A recent study published by the US Department of Health, Education and Welfare showed there are at least four million workers in the US who contract occupational diseases every year, with the number of on-the-job injuries exceeding 20 million per year and the number of deaths reaching approximately 28,000. If we extrapolate to Ontario, since data is not available here, the equivalent figures would be 133,000 people who contract occupational diseases every year, with the number of on-the-job injuries approaching 660,000 per year.

In 1974 there were 1,415 workers killed on the job in Canada. Many, if not most, deaths and medical problems do not come under the Workmen's Compensation Board or the occupational branch of the Ministry of Health because there has been no calculation of the correlation between illness and occupation. If in Canada statistical data were available which would enable us to include deaths from occupation-related causes, we would find the number of deaths for Ontario alone would reach near that figure of 1,415 for the whole of Canada.

[11:00]

The Pilot Study for Development of an Occupational Disease Surveillance Method, conducted in 1975 by the department of environmental health of the University of Washington, showed that out of a total of 1,116 cases with medical conditions reported, 346 cases were probably occupational diseases and 113 had a suggestive history of being occupation-connected. For instance, out of 122 cases studied with hearing loss, 96 were connected with the patient's occupation. Out of 128 cases with skin conditions, 64 were occupation-related; 31 cases out of 74 of conjunctivitis and other eye conditions were occupation-related.

I will just give one more example of what is happening to our occupational health field. When you compare the number of lost man-

days due to injuries at work with the number of lost man-days due to strikes and lockouts here in Canada, the figures are quite startling. Twice as many man-days were lost due to work-related injuries, excluding fatalities, as were lost through strikes and lockouts; 18 million man-days of lost production due to work related injuries compared with 9.3 million lost man-days due to strikes and lockouts.

The extent to which public health and the continuous health risks endangering workers and their families are underemphasized can be understood within our social situation as being a class issue. The infinitely greater incidence of morbidity and mortality in the working class is due to the health hazards to which they are exposed at work. This, in turn, is closely related to the fact that priorities in our health spending are established by a health care system attuned much more closely to the middle, professional and corporate classes. These more fortunate classes do not suffer from occupation-caused health problems but from general health problems that beset all humanity. To cure their problems, the middle, professional and corporate classes extract much more than their fair share of the health tax dollar. For example, the health insurance division reports that 35.3 per cent of all OHIP claims are generated in Toronto, which has only 29.4 per cent of the population, while in Sudbury 5.0 per cent of OHIP claims are generated by 7.5 per cent of Ontario's population.

It becomes perfectly understandable why in Canada neither the Liberal government in Ottawa nor the Conservative government in Ontario is prepared to study occupational health problems. To do so would compel them to collect the information which would clearly show the correlation between occupation and danger to health at work and the increased morbidity and mortality rates of the working class. The Conservatives have demonstrated they are not prepared to deal with the realities of occupational health hazards for the working class, for ultimately any such measures will only jeopardize the cause of their corporate industrial benefactors.

The way this government deals with this unpalatable data can be shown by its behaviour with the Toronto lead pollution problem. Two recent reports on the causes, extent and health hazards of lead contamination—the report of the Environmental Hearing Board on lead contamination in the Metro Toronto area and the report of the lead data analysis task force—clearly show that the government places the profit of the private



sector over the health and well-being of its people. The Environmental Hearing Board ignores the conclusions of its own commissioned research—conclusions long since come to by the workers and local residents—that proximity to lead smelters is a primary cause of elevated blood levels and resulting health problems.

While concluding that the lead smelting industry is the culprit, the Environmental Hearing Board makes recommendations which leave the monitoring and control of lead emissions in the hands of the guilty party, the lead smelters. Such a distortion of the facts involved is reprehensible, especially when one considers the manifest danger to the health and well-being of workers and local residents, which could have been stopped and can be stopped at the source. A strategy of primary prevention would avoid much needless suffering and expense. But it will not happen.

The failure of Ontario to protect the health of its workers is highlighted by the efforts of other provinces in this area. A number of provinces have enacted occupational health and preventive health measures to protect better their workers from industrial disease and injury. The most important and far-reaching measures have been enacted in Saskatchewan under, I might say, an NDP government.

**Mr. Warner:** Long-standing too.

**Mr. Conway:** I hope it is not spreading east.

**Mr. Duksza:** The Occupational Health Act, 1972, as amended in 1974, together with sections 68B and 68C of the Labour Standards Act, is the core of a new, worker-oriented approach to health and safety at work. The new Saskatchewan Occupational Health Act which is now being introduced will combine these two measures and will correct technical difficulties which have made for problems of enforcement. This new Act will impose a duty on the employer to actively promote the health and well-being of the worker. The key to implementing such occupational health and safety measures is to establish both acceptable and safety standards and enforcement procedures. To integrate all these diverse and administratively separate parameters a specific occupation, a health and safety division has been set up under the Saskatchewan Ministry of Labour.

**Mr. Laughren:** What a difference.

**Mr. Duksza:** The need for such integration becomes quickly apparent when one realizes

that in Ontario the Ministries of Labour, Health, Natural Resources, Environment, Consumer and Commercial Relations and Community and Social Services all deal with various aspects of the problem, six independent ministries, each with its own individual, water-tight jurisdiction.

**Mr. Laughren:** Non-operative accord.

**Mr. Duksza:** The key to the Saskatchewan legislation is two-fold. Firstly, there is the section of the Labour Standards Act which gives the worker the right to refuse to continue work where he or she believes that conditions are unusually hazardous or dangerous to health and safety (68C):

An employee may refuse to do any particular act or series of acts at his place of employment where he has reasonable grounds for believing that the act or series of acts is or are unusually dangerous to his health or safety.

**Mr. Warner:** That's essential.

**Mr. Duksza:** Secondly, there are the provisions calling for the mandatory establishment of health and safety committees in places of employment. These committees are to be composed 50-50 of workers and management and are to be established at each place or work or shop. These two provisions are coupled with others which prohibit the employer from retaliating or discriminating against an employee for exercising his rights under these provisions.

The proposed Act not only extends these provisions but prescribes stronger penalties for employers not obeying them. Moreover, it establishes a general responsibility for employers to protect the health and safety of their workers. The possibility that workers could walk off the job with pay compels the employer to clean up the place of work.

These two key provisions of the Saskatchewan legislation are essential anywhere if an occupational health and safety Act is to have any meaning: (1) the mandatory establishment of health and safety committees with 50 per cent of workers on them; (2) the empowerment for workers to walk off the job under hazardous conditions without penalty. They are also the most contentious provisions, for management and corporate owners will fight tooth and nail to avoid this encroachment on what up to now has been considered the rightful and legal prerogative of capital. Both Alberta Bill 39 and Manitoba Bill 83 have now adopted the Saskatchewan mode in word if not in deed. Neither of these two



provinces, however, has actually written in sections similar to Saskatchewan section 68(c), allowing the worker to walk off the job.

There are a number of reasons why the workers should have the right to monitor their own environment, in addition to governmental and management monitoring. It would provide a useful check on the unreliable monitoring by management; it would involve the workers directly in the safety of their own workplace; finally, it would begin to establish the important principle that the place of work, whether an industrial plant or a smaller shop, is equally owned in the full legal and moral sense by all people who work there.

An occupational health and safety Act, like that of Saskatchewan, is a good place to begin worker participation in this society, just as the community-run health centre is a good place to start returning health to its owners. It is the embodiment of the principle that those who pay the cost of health care and are served by it must play a major role in shaping it. Unfortunately, you, the government of Ontario, don't believe in that.

**Mr. Laughren:** The minister is cowering.

**Mr. Duksza:** In the words of the Leader of the Opposition (Mr. Lewis), there is an unbridgeable intellectual, political, ideological and human gap between us—you as a conservative, and me as a socialist. Your apotheosis of the profit motive and private health care provision for the select few will always blind you to the overall human situation and the ideals of human equality and public well-being.

In summary, there are three major points that need to be emphasized again. The health care system administered by you is expensive, wasteful and organized on an inappropriate medical model, a restricted, professional and acute illness model. Importantly this system does not deliver health services equally to all the people in Ontario and fails to provide for the safety and well-being of thousands of workers at work. Criminally, it condemns many workers to wasting diseases and death from occupational diseases while wantonly spending public money on unnecessary surgery and lab tests.

I will not tolerate the continuance of this antediluvian model of organization, with its inefficiency and inequality in the provision of care. I will not tolerate a health care system in which one class bears the burden of injury, suffering and expense and another reaps the profit. I will not tolerate a health care system which blatantly denies the right to

health of workers in the mining, construction and manufacturing industries. The people of Ontario will not tolerate this health care system which does not serve their interest or protect their well-being. You and your government have failed.

**Mr. Warner:** Resign.

**Mr. Duksza:** Only the New Democratic Party has the knowledge and the will to restructure the health care of Ontario and to provide the people of Ontario with what is their right.

**Mr. S. Smith:** I have quite a number of remarks that I would like to make but some of them will have to be saved for later on in this afternoon's debate since I have a long-standing engagement at another city that I have to get to. I do wish to make some general remarks, however, in response to the minister's opening comments. The minister in addition to his own private ordeal, has had his ministry come through an ordeal the like of which we haven't seen before and I hope we shan't see again.

Never before has one department bungled so thoroughly and destroyed the general patterns of expectations and reasonableness that people have come to expect in the conduct of their every-day affairs in this whole health system. Hospitals are a shambles. People within hospitals are hesitant even to talk to you for fear that the numbers will be misinterpreted one way or another. The so-called regression analysis which was done has not only brought the Health ministry into disrepute, but it has brought the whole field of statistics into disrepute because of the absolutely ham-handed and inaccurate way in which these figures were dealt with.

The people throughout the province have been shocked to find that a Ministry of Health can, by directive from Queen's Park, close hospitals with no thought in mind other than how many dollars have to be spent at that hospital and without any consideration for the organic role which hospitals play in communities. But we have been through all this before. Although one can without much difficulty raise quite an emotional lather about this, and with justification, I feel that when time is precious, perhaps we shouldn't spend too much time on it going over old ground. That ground, however, does demonstrate one of the fundamental difficulties of the government.

Although this particular minister may be one of the better ministers in the government, he is obviously not immune from that par-



ticular difficulty. In fact, it is one which afflicts, I suggest to you, the Treasurer (Mr. McKeough) more than anybody else. That is this notion that decisions than can be made at the centre by an elite group of so-called knowledgeable people and imposed on people throughout the Province of Ontario.

This is the concept behind regionalization, behind restructuring and behind the kinds of bigness that are constantly having hymns sung to them by the Treasurer of Ontario. This is the notion that people can't be trusted ever to make a tough decision on their own behalf, that things have to be rammed down their throats and that a gun has to be held to the head of a community before it will make any kind of sacrifice whatsoever in the common good. That notion is the very opposite of the notion that caused me to enter politics. I suspect a good many other people in this House in all parties entered politics believing the very opposite of what the Treasurer and the Minister of Health have demonstrated.

It is possible to get regional health councils to make tough decisions if you sit down with them and point out the fact that they have been spending more money than they should in comparison with their neighbours in other counties. It is possible to get hospitals to get together and share the burden of sacrifice, provided you don't, first of all, name one as the one on which the guillotine is going to fall and then expect the rest of them to put their heads voluntarily under the axe.

[11:15]

This fundamental lack of understanding on the part of the ministry has been one of the great downfalls of the whole minority government situation. Certainly I'm not here to place personal blame one way or another but I'm afraid it has to rest with the Minister of Health because of the fact he holds that position. I think the Ministry of Health has conducted itself disgracefully and I say that without my usual hyperbole.

On the so-called savings from the closing of psychiatric hospitals, I hope the minister will admit this is a bookkeeping game which is going around. Basically, because of the federal government's willingness to share rather generously the costs on mental retardation but it's unwillingness, rather foolishly, to share the costs of psychiatric hospitals, the saving is a lot greater on paper than it really is in terms of dollars and cents to the taxpayers of Ontario.

On the so-called savings from the labs, how the minister could keep a straight face when pointing out how much money he saved by

closing the labs, following it up five minutes later by explaining this new policy of 16 regional boards which are going to try to rationalize the private lab sector in the province by shifting more of that work to the public labs and the hospital labs, is simply totally beyond me. First of all, to shut down public labs and then go about the province trying to find out how you can increase the workload in the public labs so as to take it away from the inefficient or over-used private sector is something which only the minister, with this ability to keep a straight face while saying things that are outlandish, can possibly comprehend.

It was obvious that the private labs system was the part of the system that needed looking at. It is obvious from the fact that its expenditures over the past five or six years have gone up from \$4 million a year to approximately \$70 million a year this year. Even though the minister constantly avoided my questions and his replacement during his unfortunate illness did the same the fact is the ministry has had reports as far back as August, 1970, which I have here. There is just one report after the other warning the ministry of the fact that money was going to be poured into the private labs in an uncontrolled way, that it was an invitation to abuse and that money was bound to be wasted with the way in which the private labs were set up.

I have a number of documents and I'll quote from them later when we get to that particular vote. These documents indicate that the cabinet was considering the grave difficulties in that area as far back as 1971 and that in 1972, as was pointed out by the Leader of the Opposition and I, regulations were approved giving the government all kinds of scope to do the things the minister now says he's about to bring in regulations to do.

There is already a regulation prohibiting certain classes of people, and it leaves it totally open to the ministry to make that decision, from owning shares in private labs.

Now he says he's going to bring in something to do with conflict of interest. He could have brought this in long ago. The idea that certain practising physicians should not be allowed to own parts of the private labs could easily have been implemented long ago. He was warned of this years ago. I'm not impressed, I'm afraid, with his present determination as he expresses it in his opening statements.

With regard to occupational health, that is another area where the government, I'm



afraid, has conducted itself disgracefully. Comments were made by my colleague from Parkdale who holds a view of medicine I do not share—namely, he wants a totally socialized model and I don't agree with him on that—I do agree with him when it comes to occupational health. I think it simply staggers belief that in this century we, an industrial province of this kind, can have half a dozen or so inspectors supposedly safeguarding the health of our working people at a time when we're adding 500 to 1,000 new potentially toxic chemicals to our industrial processes each year, frequently with no knowledge of what harm these can do. How it is that we can sit here and allow the United States and other countries to invest enormous sums in doing proper investigations of each of these chemicals? We sit here and sort of shrug our shoulders and say we'll wait for the results. I think that's fundamentally immoral, Mr. Chairman. It's something I can't accept as a member of this Legislature.

I come from an industrial city, and it's just inconceivable to me that the working men and women should go off to work every day and be shortening their lifespan by the inhalation of various substances which we already know in many instances to be lethal and in other instances we don't know but we have reason to suspect might turn out to be such. I think this is fundamentally immoral. It's something I can't accept.

When we brought up these matters—and certainly the New Democratic Party, to my right, has done excellent work in bringing them forward as well—the answer we got from the Ministry of Health, and in private chats I got the same impression, was that they felt that a proper system of inspection would be akin to a police state. If I may quote his exact words, "There would be an inspector at every desk, sitting there all day." That's absurd. The fact is that we need a proper system of inspection. I want to know why it is that the minister has not answered the letter of Dr. Newhouse, who I can assure you is not a political colleague of mine. I don't even know what his politics are, but I can guarantee you he is no associate of mine in that sense.

**Mr. Lewis:** Nor indeed of ours.

**Mr. S. Smith:** I don't even know. Frankly, I have no idea what his politics are.

**Mr. Nixon:** He could be a Conservative.

**Mr. S. Smith:** He could be; I don't know. But he asked these questions on May 14:

How many inspectors there are for industrial health protection; how often each business employing more than three or four employees is inspected with respect to safety in the workplace; how many firms in Ontario are not being inspected on a regular basis and are using hazardous materials; and what legislation is available to assure that the penalty for this sort of contravention of threshold limit values is severe enough that the industries themselves will want to find out what hazards exist in the workplace and do something about it.

These are not unreasonable questions. The man deserves an answer. And yet a month or six weeks have passed and he hasn't received an answer. He is very upset about that.

I bring this up to point out that the ministry is going off totally in the wrong direction. The indication that the ministry has given us is that they are going to have industries responsible for policing themselves. They feel that is the way to avoid a police state or something like this.

Presumably, there is some merit in the idea of industries policing themselves if they have powerful unions with enough technological expertise to make sure that this policing and monitoring is done properly, but for the vast majority of workplaces in the Province of Ontario no such unions exist and no such expertise is available. The ordinary working man and woman have to depend on the government to have a proper set of investigations, a proper set of monitoring devices and data available that can be understood and translated into language that people can know.

It is unthinkable that in 1976 we should expect working people in this province to subject themselves to hazards without even knowing what those hazards are. Surely people have a right to know what it is they are subjecting themselves to. I suggested back in November that we should have a form of organization similar to the Food and Drug Directorate so that anybody who wanted to bring in a new process or a new industrial chemical had to have it approved, and the burden of proof would be on them to show that it was not harmful.

I've also said that we should have the kind of thing in this province that they have in the National Institute for Occupational Safety and Health in the United States. For instance, when they found that there was a higher incidence of birth defects where people lived around a certain type of plant—I think



it was synthetic rubber plants—or that leukemia was higher in places that were making synthetic rubber, what they did was looked at each of the employees who had been employed for the last many years in any of these plants, plus people who lived in the neighbourhood, tracked them down all over the United States of America, got hold of their medical records and compared the incidence of various illnesses that these people then suffered from with the incidence for the population as a whole.

That is the kind of study we should be doing in Ontario, but we don't have the facilities for that kind of work. None of the private universities can do this on their own. We have only one direction to go in: We must set up a real institute of safety and health which has enough money to do the job and frankly, I think it could be centred on places like McMaster University, the University of Toronto and possibly others.

**Mr. Shore:** Western.

**Mr. S. Smith:** No, no. The point is that, particularly in the industrialized cities, the universities could be part of this. I think it is really shocking that the ministry has simply not seen fit to move ahead in that area. And if they are going to leave it to industry to police themselves, then that really is entirely hopeless.

I want to make a few comments about Browndale; but that's a subject we should go into at some length and I'm afraid the time doesn't permit me to do so. I do want to say that the report given to the House this morning by the minister doesn't do too much to reassure me. As far as the houses in Don Vale, in which \$368,810 was spent, it is not clear to me from whom these houses are being leased. I would like to know, for instance, whether the houses were being leased from Browndale interests or from the interests of people who themselves were instrumental in setting up Browndale. I think it's also important to know about this management contract, which is sending close to \$1 million a year into Browndale interests. Why should such a contract be acceptable here in Ontario and not acceptable in places like Illinois? It seems to me inconceivable that the government should be paying a per diem to an organization that farms out its management. I don't think we've heard proper answers on this. I'd also like a little more about the audit itself, how far back it went, whether it dealt with the 1973 situation, in which the salaries were listed for creating

the per diem rate—and a number of other issues?

I would like to read the letter that Karl Jaffary—who, as you know, is certainly not a member of our party—wrote to the *Globe and Mail*, in which he said:

Browndale is a non-profit corporation which leases houses it occupies from companies controlled by the original promoters of Browndale. The houses are frequently bought specifically for the purpose, and the result has been that the principals of Browndale have been able to buy very expensive real estate holdings, which have been paid for out of the rents that are in turn a part of the \$7.3-million a year paid by the taxpayers to Browndale. If that is the consistent method of operation you'll appreciate the reasons for the delay—

And he was going on discussing the delays in relocating the children.

We have now, of course, the Haliburton situation where there has been a mass resignation. I wonder if the ministry is planning to let that excellent staff carry on on its own in a separate situation and take over the Browndale quota in that area?

I also wonder if we can be guaranteed that Browndale will be given no increase in its per diem and how the minister can stand and say that \$65 is a bargain when Youthdale can get away with \$36, or it's in the middle—or whatever. Youthdale can get away with \$36, and Community and Social Services have many places that have people just as disturbed as the ones in Browndale, getting just as good care for half of the \$65.

So basically, I'm afraid the minister's opening remarks raise more questions and answers, and I hope later on in the debate to go into great detail in each of these areas that we've touched on. But with these particular remarks I'll conclude my comments for this morning.

**Mr. Deputy Chairman:** Does the hon. minister wish to reply before we go into the vote by vote?

**Hon. F. S. Miller:** Mr. Chairman, I could, and yet I suspect that each of these points brought up by the speakers or the critics of the Health ministry in the other two parties will come up during the votes, and it's perhaps better than me taking a lot of time now to deal with them as they are specifically mentioned. I have made a number of notes.

I would say just to the member for Parkdale that, really, if I am to keep a totally serious face at all times, then I think all of

us would have to abide by the same rules. We'd have a very strange House if there wasn't a bit of repartee here from time to time. I don't think any one member or any one party has the corner on making the odd humorous comment. While I made a humorous comment on monkeys, the fact remains I took the time to get a very thorough reply for you, and I can gladly read that into the record when the time comes.

**Mr. Deputy Chairman:** Before we start the vote by vote scrutiny of the ministerial estimates, I would draw to the hon. member's attention that the Minister of Health did provide each member of the committee a breakdown of the areas of responsibility as far as the moneys for each vote are concerned. Consequently, while I realize there will be some policy discussion under the minister's office, item 1 of vote 3001, I would hope the members of the committee would attempt to direct their remarks on the spending of the various areas as outlined by the minister's paper, which he circulated to the members of the committee this morning.

[11:30]

**Mr. Dukszta:** Mr. Chairman, on a point of order, I've discussed the question of estimates with the leader of the Liberal Party and within our own party and, if you can bear with me for a minute, we thought we could divide it into two hours for the first item, 2½ hours for the second item and 2½ hours for the third one so that we will make an attempt to cover as much as possible of the health estimates in the limited time we have. I'm just mentioning it—I'm not sure whether you agree—that we have two hours for the first, 2½ for the second item and 2½ for the last one.

**Mr. Conway:** Mr. Chairman, that certainly is the understanding we have. Given the fact that we are now 1½ hours into the first section, I think it probably advisable, given the fact there are a considerable number of speakers, that with half an hour left we consider all the items in the first vote together, if that does not—

**Mr. Deputy Chairman:** Is it the intention of the committee, tentatively, to take half an hour on the first vote and divide the remaining time between the two votes equally? Agreed?

**Mr. Dukszta:** Mr. Chairman, we have another half an hour for this whole vote, 3001, and 2½ hours for votes 3002 and 3003.

**Mr. Deputy Chairman:** I would draw to the hon. members' attention that I assume this

doesn't limit any debate from any of the government members; they can take part.

**Mr. Breithaupt:** I am sure they are welcome to join in, Mr. Chairman.

**Mr. Haggerty:** Mr. Chairman, if you will permit, for clarification, where do I find occupational health in the minister's estimates? Is it listed there this year?

**Mr. Deputy Chairman:** Which vote does occupational health come under? I think that's item—

**Hon. F. S. Miller:** Vote 3003, item 3, I think.

**Mr. Deputy Chairman:** Yes.

On vote 3001:

**Mr. Deputy Chairman:** Is it the wish of the committee that we take the vote in its entirety?

Agreed.

**Mr. Swart:** Mr. Chairman, I want to make a few comments, very briefly, on item 2, specifically the Ontario Drug Benefit Plan, and perhaps solicit a reply from the minister on this. There are just two comments, really, which I want to make. The first is, I would ask the minister if he would consider—I believe the government can do it by regulations; it may well not be his ministry—extending the drug coverage to spouses, aged 60 to 65, who get the federal spouses' allowance. I suggest there is a very real need there, first of all because the total income of the couple when one or the other is aged between 60 and 65 is less than when both are over 65. If they don't get the drug coverage there is real hardship.

Secondly, many of these people receive drug coverage from the social services department of the region or the local municipality until this year but because of cutbacks in the money, the assistance, from the province to the municipalities, the municipalities have in turn cut off many of these benefits. There is greater difficulty, greater hardship, in the situation now than there was a year ago.

Therefore, I suggest the minister should give consideration to that extension. I suggest we can afford it. If we can afford to waste the money we have wasted on private labs—or that the government has wasted on private labs—if we can afford to pave the Spadina extension, if we can afford a quarter of a million people unemployed in this prov-



ince, we can afford the few million dollars to extend drug coverage to spouses between the ages of 60 and 65.

The second point I want to make is one pertaining to administration. I admit quite frankly I'm confused about the administration of the drug plan. Apparently it is paid out by the Ministry of Revenue while the legislation is under a welfare Act—it's a longer name than that but it's a welfare Act—yet apparently the Minister of Health has final jurisdiction over it. Maybe it's this complication of administration that is causing the problem.

First of all, there is a one-month delay. The drug cards are supplied in the month following the month in which they get their first old age security cheque. I understand from inquiries in the ministry that they get a computer list from the old age security department and they supply the cards on the basis of that list. However, there is a breakdown because, the computer list is apparently compiled sometime during the month and after that list is compiled cheques are issued manually. Those do not come through to the provincial ministry and as a result those people who get the manual cheques do not get the drug cards in the following month. We have found there are a large number of these in our area. Perhaps the great majority of them are never heard from, but there are a very large number who come to us.

If there is some foul-up and a person doesn't get his old age security cheque for three months, while it is retroactive the drug benefits are not retroactive. There is a real difficulty in trying to get retroactive payments. Most of those we have had have been refused. Even though by the regulations they are entitled to payments for the drugs, they are refused.

I would suggest to the minister that if he's unaware of this problem he should check it out fairly thoroughly and make some sort of liaison with the OAS so that these foul-ups in the administration do not occur. I suggest to him this is not just the odd case. If he wishes, I can give him names and times to prove this is taking place in a large number of cases. I would ask him to investigate it thoroughly and to comment on it.

**Hon. F. S. Miller:** Mr. Chairman, I am just wondering how the members want their answers. It sometimes is easier to discuss quickly the points brought up by a specific member than it is to let them pile up and lose track of them. Also, I realize that it may well be that some of these members have to be somewhere else today too.

**Mr. Breithaupt:** Oh, yes, please do.

**Hon. F. S. Miller:** If I may, I will just quickly try to summarize the points brought up.

**Mr. Deputy Chairman:** Agreed.

**Hon. F. S. Miller:** Certainly one of the areas we have to consider for expansion of the drug benefit system is to the spouses of those who are under 65 when one spouse has reached that age. As you know, OHIP has always covered that spouse for general benefits. Right now with so many restrictions on my budget, it's a difficult time to add a benefit. I certainly am not going to rule it out as either being unfair or unlikely. I'm just pointing out that it's not a year in which I'm looking for ways to spend more money.

**Mr. Swart:** It is the year in which they need it worst.

**Hon. F. S. Miller:** One can argue that. In the fall, the general welfare recipients, I'm told, will start getting drug benefits. I think I mentioned that in my original statement so that those who have been dropped perhaps by municipalities will end up getting the Ministry of Health coverage.

As far as the cards go, I'm sure every member of the Legislature has faced this kind of problem from some constituent who has not received a direct card on time. Without duplicating an enormous staff in Ottawa, we are dependent upon them for the eligibility criteria. There are ways and means by which we can speed up the process and get a person a card when he may not otherwise get one. I'm sure many members have called our ministry to get a temporary card for a person.

Retroactivity is a little different thing. I suspect a number of plans don't have a retroactivity clause. I think Canada Pension is a good example. I believe if you don't apply on time you just don't get it. I believe the old age pension is the same way, if I am not wrong. If you miss your first date of application or don't fill the papers out soon enough, I don't believe you get retroactive payments.

**Mr. Gaunt:** Yes, for a year.

**Hon. F. S. Miller:** Up to a year? In any case, retroactivity is something that would have to be considered very cautiously before we agree to it.

**Mr. Swart:** Can I just pursue that one question further? Would it not be possible to



get a supplementary list from Ottawa up to the end of the month? Those cheques, and there are a large number, that are issued manually don't come on that computer list and they lose their benefits for one month. I wonder if there wouldn't really be some simple way of working this out so they don't lose that month's benefit.

**Mr. Conway:** I have just two or three very brief comments arising out of the first vote and the minister's opening remarks. One is moved, in a sense, to compare what the minister has said on this day, in June, 1976, with what he said in November, 1975, in the concluding portion of his estimates for that year.

In his opening remarks at that time he found it wise and useful to begin by pointing to the success of the negotiations of the Ontario Nurses Association in the public health nursing field. I wonder, today, how the minister feels about talking about the success or the obvious lack of it with respect to the ONA negotiations and the complete breakdown in the public health field as a result of that?

It was interesting too at that time that he signalled the institution and the impending success of the Council of Health as a senior advisory body to the Minister of Health. One wonders today, six or seven months later, how this particular body has been able to react to the significant changes in this particular regard. The third point the minister made at that time was the relationship to the impending institution of an occupational and environmental health establishment. I would wonder, given his commitment of seven or eight months ago, how he feels about that at this particular time.

I would have just these few comments by way of comparison. There was one thing he said then that perhaps is most significant. In that debate the hon. minister said something in response to an urging from my good friend from Parkdale. This relates to the general administration and to the way in which this ministry has been doing its business. On Nov. 12, 1975, in response to something said by the member from Parkdale, the Minister of Health said:

To show the openness of my ministry, I think you must admit that we never try to deny you any information you want, do we?

I think it is truly regrettable that the indictment of the past six or seven months is simply that this government, and particularly this ministry, has chosen to operate in the fashion it has with respect to the hospital closings and I realize that that is an item for the

second vote, 3002, but I would like the minister reflect upon that at this point in time.

I think it was interesting too that four or five days following that remark in the emergency debate on the Chesley Hospital closing you were urged to comment in response to a point made by the member for Grey-Bruce (Mr. Sargent) and you said:

I have no intention of seeing the 24 hospitals closed. The member asked me how many were on the list. Each one in turn will be told in negotiation if it is being considered. Each one will have the option and the opportunity to discuss the merits of closing with me and they will learn it in order only after I have decided there is some good reason for the action which we take.

I think that clearly there must be some explanation, not necessarily on the specifics of the hospital closings, but on the manner in which this ministry has decided to conduct its business. I would particularly like some comment from the minister in that regard.

I would also like to take this opportunity to ask a question under the heading of item 1, the policy co-ordination secretariat, with respect to the document released, I think two days after the conclusion of the Health estimates in November 1975—and I refer to the report of the special programme review which makes in a series of 20 or 25 pages a number of most interesting statements and suggestions. I wonder how the minister and his policy secretariat are interpreting and perhaps moving to the implementation of the recommendations with respect to health care in Ontario made by the special programme review?

[11:45]

**Hon. F. S. Miller:** On the first point of the nursing negotiations, any time two parties to negotiations fail to get their own way and a strike results there is a great temptation to demand government intervention at once. Because a negotiated agreement wasn't arrived at before a strike took place it does not imply that the system doesn't work in most cases. It does.

I was struck by the paradox last week of the members of the public health nurses' association, members of the ONA, coming down here and, in effect, demanding compulsory arbitration and removal of the right to strike when really one of the major issues, I guess, CUPE was facing the next day was the right to strike and its reluctance to be forced into a position of compulsory arbitration. It's a question of how you see your particular problem on a given day.

People who haven't got the right to strike feel denied a privilege which society has given to most people. Those who do have it

often feel it isn't a potent enough weapon to get their way in negotiations. We've talked about alternatives to the strike and I would dearly love to find one but to date it has been the ultimate weapon of the employee if negotiations break down with the employer.

Those nurses were exerting their rights last week. I didn't like them being on strike. Some management is exerting or using its rights this week by locking them out and I don't like that. I clearly told the association of the health units last week that I would recommend, and so did the Minister of Labour, that they not lock out employees. This would escalate the whole situation.

**Mr. Haggerty:** Appoint new members to those boards. You can do that much.

**Hon. B. Stephenson:** They are elected.

**Hon. F. S. Miller:** Listen here, let's not start appointing people arbitrarily to boards which, in the main, have represented their areas well. In most cases they have been named by either municipalities or people at large and I think they have done a pretty good job of—

**Mr. Nixon:** Representation from the government on each one, is there not?

**Hon. F. S. Miller:** Yes, there is. There is always representation but it's a very minor—

**Mr. Nixon:** That is what he is talking about; he's not talking about replacing the board.

**Hon. F. S. Miller:** It's usually a question of one or two members on each board who represent the province depending upon the area they serve in.

**Mr. Haggerty:** They carry out your policy.

**Hon. F. S. Miller:** I would suggest to the hon. gentleman who interjected that if any board member has been given policy to follow, I would like to know about it. We leave those gentlemen and ladies there to act as independent members on that board. They do not have to follow government policy and they are not told what government policy is to follow.

On the Council of Health, I lost the import of your question altogether. The Council of Health is alive and well and able to give me advice whether I solicit it or not.

On the institute on occupational and environmental health, I think I answered a question in the House this week from the Leader of the Opposition when he asked me what point we had reached on that. We did ask

for the advice of the advisory council. That advisory council did give us a recommendation on the formation of an institute and that's been in my hands for only approximately 10 days. It would appear, I think, to be reasonable advice and probably will be followed.

**Mr. Lewis:** When would it happen?

**Hon. F. S. Miller:** I don't know that it has to wait for any particular school year; in other words, I think one could organize a base in a university or two quite quickly. I suspect, as I think I mentioned that day, the University of Toronto, in looking forward, had decided to make certain organizational changes so that it could offer a package. I don't know whether any other universities did. Do you know of any?

**Mr. Lewis:** I think McMaster is one.

**Hon. B. Stephenson:** I think McMaster is trying.

**Hon. F. S. Miller:** McMaster is trying, I am told.

**Mr. Lewis:** Are we heading for the fall?

**Hon. F. S. Miller:** I would like to think so. It is an area in which we are very anxious to get that kind of advice. I'll get into occupational and environmental health when we get to the note on it and I certainly want to stress how important it is to me. I think that's really all I would like to reply to on this member's comments right now.

**Mr. Nixon:** Mr. Chairman, there are just three things that I want to deal with in the first vote and I guess the first one might as well be the institute to which the minister was referring. I, too, want to urge upon him as strongly as I can the establishment of something of an advanced research basis, to university level hopefully, which will mean that on not so many occasions will the attention of the minister be brought to matters that have arisen in other jurisdictions, perhaps by members even of this House.

There is quite a frightening feeling sometimes that the whole thing is moving so quickly. It really gets considerably beyond the membership of this House, perhaps even including the Minister of Health himself, to understand and grasp the importance and the ramifications of these matters. I thank my lucky stars that I live out in South Dumfries township with only a hog farmer living to the west of me who uses a liquid manure process. Maybe there ought to be a question on what the long-range far-reaching effects



of that are to human and other organisms. I simply want to urge upon the minister the establishment of some kind of an organization which is going to be on top of these changing aspects.

I don't know who it was—it may very well have been the Leader of the Opposition—who said that the politics of environmental health is going to be one of the most important aspects of our responsibility during the next decade and perhaps much longer than that. It's obviously very much a fact of our existence here when every question period includes questions to the minister on some little-known or unheard-of organic chemical which may, in fact, have tremendous effects and influences on our environment and to the individuals living within it. I would like to join with others who urge the minister to take definite action in this regard and I can assure him of strong support in this connection.

The second thing I want to put to the minister is the continuing problem which I am experiencing as a member of the Legislature. In his opening statement he referred to the history of the establishment of hospitalization and a programme of universal health care. The minister knows that while it's almost universal, it is, in fact, not universal. The people do not have to belong to it and every now and then somebody will come to me too often for my peace of mind who is not a member of this or their membership has lapsed because of some problems in the transfer of premium responsibility.

I would hope that we could pass a statute making it quite clear that everybody living in this province is a member of our medicare programme and that there is no possibility that anyone is going to go to the doctor or go to the hospital and not be properly covered. We all know it is not possible for an individual to go into one of our hospitals in this province and pay for any reasonable care himself in any way. It may be that the advisers to the minister wish to keep it this way so that there is some compulsion or some pressure on the individual, particularly in the pay-direct field, to pay direct and on time. But I believe we are approaching it in the wrong way.

My own experience is that you can usually give some kind of justification for the lapsing of the coverage and I don't recall anybody ever having to go into the hospital where they had to pay for it themselves when they didn't feel that they could do so. But I believe we should have a universal programme here and I would hope that we move in this Legislature to accomplishing that.

The last point has to do with the legal status of the hospitals which were visited by the minister in that great tour across the province some months ago. We are waiting for the Supreme Court of Ontario to tell us whether or not in their legal opinion the government acted properly and legally. I would not expect the minister to make any predictions as to what might come about but could the minister give us some predictions as to the actions that the government might take? I have heard that the minister or representatives of the ministry have said that whatever the outcome, whoever wins this reference, it will go to the Supreme Court of Canada.

Really, I am not so sure that it's sensible for the government of Ontario to take it beyond the Supreme Court of Ontario. The remedy, if they feel they have to have it, is a clear one and that is a reference to this Legislature which is open to them at all times. There is a small political problem, that we are all aware of, that probably they could not get the authority to close the hospitals from this Legislature. But a reference beyond the Supreme Court of Ontario by the government, it seems to me, does not seem to be a sensible procedure. The government should surely have accepted the ruling of the divisional court in the first instance, and either—

**Mr. Bullbrook:** Right, exactly right.

**Mr. Nixon:** —decided not to go forward with this policy, which is extremely unpopular and wrongheaded in my view, and has been turned down by the courts, or to take the other remedy that is democratically open to them.

I would also like to ask the minister if he would comment on the present negotiations with the hospitals which are on this formerly-black list and now kind of a greyish-pink list. For example the hospitals that I know of—Willett particularly—is continuing to function as an active treatment hospital. I feel the board there is acting most responsibly and it has been dealing with the minister's deputy and others, trying to find some common ground. But I really would hate to think the ministry is simply putting off the Willett board and the other boards until such time as the cudgel is restored to its quivering fingers, and they can beat the hospitals into submission once again. I believe the boards of the hospitals have been acting most responsibly. They have not been assuming that they are not going to have to at



least discuss a change in their present powers and responsibilities.

More and more I am getting the impression that this thing is being left in abeyance, without definite answers forthcoming from the officials in the ministry charged with this affair until such time as the good old reliable majority government powers are restored. In that case we will be back to the bad old days when the government would act in an autocratic and high-handed manner. I would hope the minister could give me some assurances in that regard, that I can pass on to some others who are concerned as well.

**Hon. F. S. Miller:** Mr. Chairman, there is one thing I want to point out. Inadvertently I have read some wrong figures into the record in my opening statement. As soon as I have them corrected I will correct them for the record. I had my statement being revised this morning and, in the rush to get here at 10 o'clock—whether the press knows it or not—I picked up the wrong copy of my statement. I had it edited—

**Mr. Lewis:** No, that is not true. You just had one regression analysis and then you got another and they conflicted. Happens to the ministry all the time. Perfectly predictable.

**Hon. F. S. Miller:** Well, I have some errors in it, apparently. In any case the moment I get the correction—

**Mr. Nixon:** Who is to say which is wrong?

**Hon. F. S. Miller:** —on the arithmetic I will give it to you.

**Mr. Lewis:** Depends how much you regress.

**Hon. F. S. Miller:** It was caught just this morning.

**Mr. Breithaupt:** We will accept your regrets.

**Hon. F. S. Miller:** The hon. member for Brant-Oxford-Norfolk talked about making OHIP compulsory. I suppose that is a valid point. Yet we do have people who choose not to join and they choose knowingly, not in ignorance.

**Mr. Nixon:** I don't think they should have that alternative.

**Hon. F. S. Miller:** That, I think, is an honest difference of opinion. To date this province has used a premium system for part of the costs—

**Mr. Nixon:** We need their premiums to provide an overall programme.

**Hon. F. S. Miller:** No, I don't think so. We are getting five-sixths of the money from them anyway in taxation. In many cases they are the people who are contributing a heavier amount toward the overall plan than the rest of us.

**Mr. Nixon:** Don't worry about Gordon Sinclair.

**Hon. F. S. Miller:** You and I both know that if a person is at the low end of the income scale, it is an academic argument—they get the care under any circumstances. If they are at the well-to-do end of the scale and they go to hospital and have to pay it and they haven't paid their OHIP premiums, tough luck.

**Mr. Nixon:** You used the word "universal" and that is incorrect.

**Hon. F. S. Miller:** All right, as long as you have a premium as a requirement for coverage then it is very difficult to make it compulsory. We could do it. I simply say that I think there are some people in this province who still feel they have the right to make that choice. The percentages are a very minuscule number. As a matter of fact every time I'm given the total number of registered people on OHIP it exceeds the population of the province.

**Mr. Nixon:** It does?

**Hon. F. S. Miller:** It does.

**Mr. Lewis:** That speaks to the accounting within OHIP.

**Hon. F. S. Miller:** No, it doesn't. What it speaks to is the fact that we cover all members of a family automatically without having them go through a registration form, simply by using the family coverage number and going to see the doctor. Very often we have discovered people are inconsistent in their own use of names. They may have three names and chose to use two on one day and two on another day and unfortunately they will be enrolled under those separate names. It is interesting. But in any case the family member is covered, whichever name he or she choses to use when they go to see the doctor.

[12:00]

**Mr. Godfrey:** Fortunately most people have only got one appendix.

**Hon. F. S. Miller:** Yes, or you would have found a way to take out two.

As to the group action or the government action, at least, in response to the court, I touched on that briefly in my opening statement. I really don't feel that this government would want to go to the Supreme Court of Canada if we lost the next round.

**Mr. Shore:** Why didn't you go in the first place?

**Hon. F. S. Miller:** I'm speaking personally now—there's not a government policy formulated on this basis. I think at that point we have to face our responsibility, if we lose in court.

**Mr. Lewis:** That's right.

**Hon. F. S. Miller:** Now that responsibility, in my opinion, is to come back to this House with legislative changes—if we lose.

**Mr. Lewis:** You won't do that, I am sure.

**Hon. F. S. Miller:** I'm quite prepared to.

**Mr. Lewis:** Excellent.

**Hon. F. S. Miller:** On the other hand, that is not a decision, as you know, that the Minister of Health will take all by himself.

**Mr. Lewis:** That's true.

**Hon. F. S. Miller:** I will be guided by my colleagues in cabinet—

**Mr. Conway:** And Eddie Goodman.

**Hon. F. S. Miller:** No. I'll be guided by my colleagues in cabinet.

**Mr. Nixon:** Who will be guided by Eddie Goodman?

**Mr. Lewis:** Who will be guided by the last survey?

**Hon. F. S. Miller:** I suspect you have some surveys yourself.

**Mr. Lewis:** We don't. I wish we did.

**Hon. F. S. Miller:** If, on the other hand, we win in court I suppose there is always the right of the hospitals to consider the appeal process. Again, we'll be faced with a decision: Should we wait for an appeal or should we consider clarifying what may have been deemed an unclear law?

**Mr. Bullbrook:** It is not a question of winning or losing. You missed the point. You don't win that case or lose it.

**Hon. F. S. Miller:** In the case of the hospitals such as the Willett in Paris, we are continuing to finance them and I think it's very unfair to talk about their long-range plans until such time as we've really clarified the whole issue of their future. In your case, it's compounded by two things: (a) they are not a party to the case in court; (b) there is a long-term-care study going on in your area to help us decide what the chronic needs are in your area.

**Mr. Nixon:** It surely has nothing to do with it. Didn't the Premier say it was the policy of the government to treat all of those hospitals the same, whether they were party to the legal reference or not?

**Mr. Breithaupt:** I believe so.

**Hon. F. S. Miller:** We continue to fund them, as you know, and we're going to keep on funding them.

**Mr. Nixon:** Of course, you are not in the same group.

**Hon. F. S. Miller:** There's no argument about the need to fund them. There are all kinds of ways of being nasty in the meantime while the court cases went through. The fact is—

**Mr. Nixon:** They were not open to this minister.

**Hon. F. S. Miller:** They were open to me if I wanted to use them. I'm simply saying—

**Mr. Nixon:** Not to this minister they were not open. You are not a mean person.

**Hon. F. S. Miller:** —we felt they should be funded on a normal basis until their future was determined either by the courts or this Legislature. That is the basis I want to keep it on.

**Mr. Gaunt:** Mr. Chairman, I would like to make a few brief comments on this vote. We've talked in a general—

**Mr. Acting Chairman (McCague):** Order, please. I understand there was agreement that the debate on vote 3001 would conclude at 12 o'clock. Could we follow that agreement?

**Mr. Gaunt:** All right, Mr. Chairman. I am quite agreeable to that. The remarks I had actually referred in a general way to the hospitals which come under another vote and I can make those remarks at that time. I wanted to tie that in to the hospital insurance, the general OHIP insurance programme,



which comes under this vote but I can do it under the second vote with your permission, sir.

**Mr. Nixon:** Stay on your feet. He'll put it right up and you will be right in order.

**Hon. F. S. Miller:** On a point of order, Mr. Chairman, I think OHIP doesn't really come under this—just the doctors' section of it does; the medical—

**Mr. Gaunt:** I wanted to talk about the doctors' section but I can tie it all up, I am sure, in the second vote.

**Hon. F. S. Miller:** I am sure you can.

**Mr. Acting Chairman (McCague):** Shall vote 3001 carry?

Vote 3001 agreed to.

On vote 3002:

**Mr. Angus:** I would like to refer again during these estimates, as I did last time, to the ambulance services, particularly those services which are not yet paid for by the ministry under OHIP; those which my constituents find themselves in the unfortunate circumstances of having to use; those which my colleagues, any of the northern members, or their constituents find they must utilize just to get basic medical services. I am referring to the air ambulance service which will allow a doctor to transfer a patient from a hospital to a hospital in an emergency situation, but will not allow OHIP to reimburse the parents or the patient for returning to the community they come from.

I'd like very briefly to read into the record, just to make my point, a letter I received from a constituent of mine who like myself, had the circumstances to travel to the Hospital for Sick Children for treatment services for a child:

I am writing concerning an article that was in the newspaper last November. It stated that you were in favour of the government paying for parents in Ontario who had to take their children to the Hospital for Sick Children in Toronto. I agree with you 100 per cent because my husband and I have gone through it. We had a child last February who was born with congenital heart disease. He was flown to Toronto two days after birth, which social services at the hospital paid for. He was there for a month-and-a-half. We couldn't afford to be down there with him, and when the time came to go and get him we had to pay for the trip there and back.

In October he had to go back again. The doctors here were certain that he would need heart surgery then because he was doing so poorly. We had been saving for six years for a down payment on a house, and because of this money I couldn't even get my way paid to Toronto. I went to social services at the hospital, the welfare office and Kiwanis, but no one would help. Therefore, we ended up paying again. If everything would have gone all right I would have only had to stay there 10 days, but complications set in and I was there for five weeks, all of which we had to pay for ourselves.

Although they have places down there for \$5 a day, it is only for mothers. If the fathers come it would mean staying at a hotel. That is why we are still renting and almost back to where we started from.

Parents who have children with heart problems or any defect that they have to go to Toronto for have enough problems and worries without being concerned about a gigantic bill. It's not their fault that they had children born with things wrong with them, and most of the problems have no known reason for happening. I have great concern for these parents. Although it wouldn't do us any good (our child passed away in November), I hope something can be done to help pay the expenses for parents who have to go to Toronto.

That is not an unusual case. In fact, unfortunately, it seems to be more the rule than anything else.

We talked about this before in estimates and I realize that your concern is for preventive care, or at least at that time that's what your concern was. I would like to add again a request that your ministry undertake the examination of this situation with a view to paying for transportation costs whether it is for children or adults who must leave their home community and fly to Toronto or to Hamilton or to any of the other major centres in Ontario to obtain the medical services that they require to survive or to function.

I'd like to change my approach just to a certain extent and offer you a proposition. I think if you have the OHIP computer working these days, or if you can get it working, that you instruct your staff over the next three or four months to pull out—I'm not sure how they would do it but I'm certain the programmers would find a technique—to enable us to understand how many people we're talking about. How many people from northwestern Ontario are travelling to Toronto, whether it's to the Hospital for Sick



Children or to any of the other major hospitals? Have them pull that out of the computer and have your own staff run a check as to the length of time that those patients are in Toronto hospitals or are in other hospitals in this province or elsewhere in Canada or the United States.

I think once we can understand, in terms that this House will accept, in dollar figures, the cost for providing this service, the cost of ensuring that everybody in the Province of Ontario has equal access at equal cost to the medical services that they need to survive, then I think we'll be doing something for the people of Ontario. As your staff are compiling this—and I hope, Mr. Minister, you will accept this suggestion—I would also ask them to take a look at why so many patients find it necessary to travel to the United States for medical services; services they don't feel they can obtain in Ontario or obtain competently in Ontario.

I leave those two requests with you. I know that the Thunder Bay District Health Council will be more than happy to receive the basic data, to be able to pull it together and to assist your ministry in ascertaining the extent of the problem and in providing some costing.

**Mr. Conway:** I would like to add one brief footnote to the ambulance question, and perhaps the minister could answer my query in addition to that of the member for Fort William.

In the November debate I brought to the minister's attention a particular problem that my people in the Deep River area were experiencing with the ambulance review study that was under way. At that point in time I was informed by the minister through his staff that that study probably would be prepared and presented within six to eight weeks, meaning that we could have expected it at the end of January.

I was called this morning by some very concerned officials at the Deep River and district community health organization, and at this point they still haven't heard what is going to happen to the ambulance situation in their particular area. I am just wondering, in answering the general question about ambulance services raised by the member for Fort William, whether the minister might direct specific attention to the problems of the people living in the Deep River area and what, if anything, we can expect by way of the report presently being prepared.

**Hon. F. S. Miller:** Mr. Chairman, on the first point, I suppose it is like almost all government plans, where does one draw the

line and what are your priorities? The very fact that we have an air ambulance system, and that we have a tremendous ground ambulance service in the Province of Ontario, puts us leagues ahead of many jurisdictions. I hope the hon. members recognize that. That doesn't mean it covers every conceivable need.

Think of what these people would have been involved in if they were in the States of New York or Vermont. I know personally, because we had an accident in that state. I had to take my wife, who had two broken legs, 60 miles in the back seat of a car, because there wasn't even a for-hire ambulance available, let alone one paid for by the state. It is only when one runs into this kind of problem elsewhere that one appreciates the Province of Ontario's excellent service.

It is a question of priorities. Under what circumstances do you pay for the transportation of other people? Under what circumstances do you pay for pretty expensive return of a patient by air? What could you have used those dollars for in other parts of your programme? These are the kinds of sawoffs and decisions you always have to make.

I can't offer the member any encouragement that we are suddenly going to become more generous. We are looking at the overall problem of transportation of the physically handicapped as well as the transfer of people with other problems to centres of treatment.

I have no idea of how many people are involved in this way. I am sure there are quite a few. I know that in a riding like my own, 150 miles from Toronto, there are lots of people transferred here for care and the families often are quite busy running back and forth to visit them. Again, I can speak to that fairly personally.

The hon. member for Renfrew North asked me about Deep River—

**Mr. Angus:** Before you go on to that, could I just reiterate a couple of my requests?

I appreciate the fact that we don't know how many people there are and that we really don't know the dollar figure we are talking about in terms of what it would cost to provide free transportation for medical services. But what I was asking you before was, would you be willing to instruct your people who handle the OHIP computer to draw up a programme, over the next three or four months, that will provide us with that information—at least in terms of the numbers of people, the lengths of stays and the home origin. In that way, in the fall, we can have



that information and we can send it out to the regional health councils and ask them to cost it as to their particular area. Then we will know, at least a dollar figure, what we are talking about and then you, as the minister, and your ministry, can assess it, in the words that you use, in terms of priorities and in dollars.

[12:15]

**Hon. F. S. Miller:** One of the things we can tell you, on any given population base, is where they are getting their health care. For example, when we went to the hospitals that were closed, we were able to say in the town of Bobcaygeon, to be specific, 22 per cent of the people who entered hospitals from the village or area of Bobcaygeon go to the local hospital; and 78 per cent go to other hospitals. We were able to say these are the hospitals they go to, these are the days of stay they have and within Bobcaygeon the following people came from elsewhere, etc. etc. That kind of data is available. We have to adjust every population base for a hospital to reflect the true references to it. Rather than saying four beds per thousand people, we have to say four beds per thousand referred people, not resident people. This is often one of those contentious areas. People are often unaware that a great part of the provision of health service in a given geographic area is provided in another geographic area because of either specialized services or custom.

To reply to the question of the member for Renfrew North, we've been looking at the overall ambulance programme and each year we make significant improvements, I think, in the organization of it. Of late, some of these have been objected to by some communities. As a result, we're pausing and considering some organizational changes, particularly amalgamation or a change back to volunteer from fully-paid services.

In the case of Deep River, I'm told that the operational review of service demand in the area is presently being completed. Recommendations will be consistent with service levels in the other areas, etc. In other words, we had not got that report as of about June 1 or a little earlier than that.

**Mr. Conway:** On a point of clarification, did you say that that report is now in your hands?

**Hon. F. S. Miller:** It is not in my hands yet.

**Mr. Gaunt:** I'll be brief. Much has been said about the hospital closings throughout

the province and I don't want to go over that same ground again. The comment has been made that our system is expensive and in some cases wasteful and I agree with that. No doubt the ministry was faced with a situation where it had some surplus active treatment beds and the decision was made to replace the scalpel with the meat axe. I think that's exactly what happened with respect to hospital closings across this province and, in particular, in rural Ontario.

The ministry has not come to grips with some of the serious problems within the ministry, in my view. The ministry hasn't come to grips with the overbilling and abuse of the system by the doctors. The ministry hasn't come to grips with the overuse of the system by some patients, and that second point is tied directly into the first. The ministry hasn't come to grips with the private lab problem. All right, what can we do? What suggestions can one offer to the ministry in some of these problem areas?

The first thing is the matter of what I call a health credit card system. This was a matter that was raised with Dr. Potter when he was Minister of Health. I talked to him personally a number of times about it. He said he agreed with it so much so that he was prepared to take it to cabinet and try to get approval for it. That's the last we ever heard of that until the issue was raised by the hon. member for Algoma-Manitoulin (Mr. Lane), I believe, several weeks ago.

In my view, that's a good system. It's a good system for a number of reasons. If all of the people in the province who are currently enrolled in OHIP were given a card with their OHIP number on it, similar to a credit card, then when the doctor was visited by that patient, the patient would simply hand that card to the doctor who would put it through his little machine. The patient signs it and is given one copy, the doctor keeps a copy and the other copy is sent into OHIP. This then becomes the basis upon which payment is made. The same is done with a hospital visit. If a patient goes to the hospital, he or she presents the card to the hospital and it's handled in exactly the same way.

In my view, that exercises some control by the patient over overbilling by the doctor and perhaps it has some other uses as well.

At the very least, the patient knows when the doctor is billing for a procedure and I think that's helpful. It's helpful from the point of view of the patient and it is also helpful from the point of view of OHIP, because they at least know the patient is exer-

cising some control over that procedure. In my view I think that's a good system. It's simple to enact and in my view—and obviously that view is shared by a number of other people in the House—it could be done very easily and very quickly and without a great deal of expense.

The minister may say yes, that's fine, but under certain circumstances one may be faced with a patient who isn't well enough to sign the slip. I think that can be overcome very easily. I think a member of the family could sign the slip under those conditions. I am sure that situation may be presented from time to time and it's something that could be overcome very easily.

The other thing that strikes me, and I pass it along to the minister for his comment, is I think the ministry could very easily institute a crackdown on unnecessary abortions in the province. I understand last year that about \$10 million was spent in that area. I believe only about two per cent of those abortion procedures were what one might term necessary. I think there's a great deal of saving to be effected in that area and I would certainly suggest that the minister take a look at it. With those comments, Mr. Chairman, I will take my seat and I invite the minister to respond.

**Hon. F. S. Miller:** Well, I seldom find much to disagree on with the member for Huron-Bruce, really.

**Mr. B. Newman:** He always makes constructive suggestions.

**Hon. F. S. Miller:** He's a very reasonable man.

**Mr. Bain:** He would make a fine Minister of Health.

**Hon. F. S. Miller:** Yes, he would. He only needs to change parties and I will give him the job.

**Mr. B. Newman:** He is a poor hockey player.

**Hon. F. S. Miller:** He is a poor defensive hockey player. As a matter of fact, I want it on the record that I never did have a heart attack. I was losing that game so badly that it was the only honourable way out.

**Mr. Gaunt:** I have got my skates sharpened now.

**Mr. Sargent:** You have just lost your next year's contract.

**Hon. F. S. Miller:** It takes more than equipment to make a hockey player. The

question of overbilling by doctors and overuse by patients remains a prime concern of the ministry. I think most doctors will tell you the illegal overbilling by doctors is almost a thing of the past, because the medical review committee, which is an arm of the Ontario College of Physicians and Surgeons, has become very effective in its means of auditing and checking upon doctors whose profiles of practice don't conform with the norm.

As I mentioned in my opening statement, we have just recently been able to extend to this to four other fields and we feel we will have the same kind of audit capability there that really prevents illegal or even improper billing. There's a tendency for some doctors to charge for a general assessment when there is an office visit. If we notice that they are charging for too many, the auditors will go in and ask to see the records and we get the money back. The amount of money we get back is quite considerable under this process.

**Mr. Gaunt:** Several millions?

**Hon. F. S. Miller:** Well, let me say I think the curve has gone like this. As time has come on, the doctors are aware of the capability of the ministry, and OHIP in particular, to detect anomalies and I believe you will find much more careful billing practices as a result. There are honest differences of opinion between medical auditors and practitioners, but these will continue to go on and I think can be tolerated. The real question is, was the service rendered and was it billed for as rendered.

The next point, again—the credit cards for health—is an issue that I felt as strongly about and feel as strongly about as Dr. Potter. As a matter of fact, he sent me to the Province of Quebec back in 1973 to see their system and to talk to them. They suggested to us certain changes that they would have effected had they a second chance. I think their suggestions were very reasonable. First of all, don't try to use the SIN for the policy-holder as the basic number. Use the SIN of the individual.

To begin with, as you may know, the federal government wouldn't let us give out SIN numbers in Ontario. We found a high percentage of people didn't have them; much higher than you or I may have expected. So in the short time frame between deciding that there would be a universal number and the time it had to be implemented, we couldn't get the SIN number issued to everybody. I think the time is coming though when the House and the government will certainly have to consider it, I'm sure, when we talk about



giving just one number at birth. It's the logical time to do it.

We would eliminate one number we give them already, called the birth identification number. We'd eliminate a driver's licence number. That founders on a couple of drawbacks—the credit card and the unique number. It isn't as easy to get billings made as it sounds.

First of all, doctors have a habit, and quite properly so, of putting a number of services on one card. I think that could be coped with. It means once a month, perhaps, you'd sign, rather than each time you went to the office.

Secondly, little kids coming in perhaps, or young children without parents, may take that along and may not have the authority to sign.

Thirdly, there are the problems in the emergency area. But I think there are also some perceived drawbacks that are going to give us more trouble than the technicalities. Those perceived drawbacks are the rights of the state to have a number attached to your name which by the push of the button, pushing that number into a machine can cause information to be divulged that people shouldn't have about you. Therein lies the real problem we face with unique identifiers. That's really what's slowed up the progress.

I think we can cope with the costs; \$7 million, \$8 million, \$9 million, \$10 million would be roughly the range of costs for that programme to get it started with another \$2 million or \$3 million a year to keep it operating. In terms of the convenience it would be worthwhile. The card, I think, would have a multiple purpose. It wouldn't only be an OHIP card. It may even be the identification-type of card we talk about for teenagers who are wanting to enter a licensed establishment—that kind of thing.

Those are issues that pass the boundaries of the Ministry of Health and obviously will have to be discussed by government. I can only tell you this: Our ministry is currently requesting that review right now. I think the issue will be discussed at length before too many more months pass.

As far as the private labs are concerned, there were a number of points we could take and I think I touched upon them in my opening remarks. I am not against private labs; I keep on stressing that. I'm sure the people over here are; I hope your party isn't. There's a place for the private lab. It may well be there is a place for the private lab even in the hospital at times, because there are savings when private enterprise performs certain services. I suspect you will not get highly-

skilled technicians to work for a minimum wage or less.

**Mr. Bain:** That is why quality is so poor.

**Hon. F. S. Miller:** Oh come on—the quality. It would be interesting for you to see, and I'd be quite happy to have you look at it some time, that the LETP programme, the Lab Efficiency Testing Programme going on in the province right now under the jurisdiction of the OMA, is really determining which labs are analysing samples properly and which ones aren't. Its whole purpose is to determine where the weaknesses are, to make the people aware that they are not doing a good job in certain tests, to train them how to do if possible and if not to cancel their licence. It's as simple as that. I think the third alternative, the third chance, is essential about any programme. Give them a chance to pull up their socks once they are proven to be doing things not up to standard.

(The fact remains, one will find that survey will point its finger at all types of labs in a fairly even way. It doesn't say that the hospital labs are all top-grade and the private labs are all lousy. It will tell us that we have problems in each sector; problems that exceeded our expectations. That's really all I wanted to reply to the member for Huron-Bruce.

[12:30]

If I can just refer back to a comment I made earlier, the discrepancy between the figures I read into the record and the figures in the statement that was actually ready for me to read. I had given gross savings instead of net savings. I think I will wait until after 2 p.m. to correct this and make sure I have it all right. But I don't want to leave any misapprehension, I think we will end up in the same boat when we are all through, the same number of dollars.

**Mr. Grossman:** I need not launch into a continuation of my defence of and argument on behalf of the Doctors Hospital which I was doing the night before the minister suffered his heart attack. What I do want to do is to address myself to the situation in which the ministry, and I suppose government, finds itself at this particular point in time, and that is with the six-month funding being given to the hospitals whose lawsuits are now under appeal into the court. I would like very strongly to urge the minister to attempt to use this period of time to instill some credibility into the decisions taken by the ministry.



I am not, at this point in time, going to get into a discussion with the minister with regard to the merits of the closure with which I am intimately involved. He and other members of this House I think very well know my feelings on that subject and, just to reiterate, I am totally unconvinced that the closing was either proper, right or justified.

In any event—

**Mr. Sargent:** Nevertheless.

**Mr. Grossman:** —if the ministry and the minister believe that I am wrong and that the initial decision was right, then surely in this interim period the ministry ought to be looking to satisfy the citizens affected by the closings, the doctors affected, the 600 staff that will be out of jobs. In order to do that, I suggest very strongly that rather than try and trot out new, different, or first-time regression analyses or computer printouts or whatever they are being called these days, that it is very important that some sort of review be made by persons who can in no way be associated with those persons who initially drew up the list of 24, 11, 10 and finally nine hospitals that did arrive on the list for closure.

**Mr. Sargent:** The Premier said there was no list of 24 hospitals.

**Mr. Grossman:** It is very important, in the context of the history of the closures, especially as it relates to the Doctors Hospital, that this be done in order that those persons who have been affected understand that the closure did not result from an immediate decision, a callous decision, one which was made, as has been alleged, for political purposes. If it was not, and I trust and hope it was not even though the decision was wrong, if it was not made for those reasons, then for what reasons was it made?

More importantly, rather than getting into a rehash of those reasons, this is the precise point in time at which the ministry ought to investigate the rationalization of all hospital facilities in Metropolitan Toronto. There is not the slightest doubt there is a duplication of a lot of facilities. There is a duplication of some of the very fancy, expensive but little used equipment. Heart transplant machinery for example. Why need it be done in two or three or four different hospitals? What is the competition? Surely one unit is sufficient in one hospital.

Likewise, there is no question but that there is a surplus of obstetrical beds. Why deal with it on a gross bed count basis? Surely,

some sort of study ought to occur to determine whether there should be one, two, three or four units—hospitals—to deal with obstetrics rather than spreading them out? I don't know what the answer is but surely the fact that there are obstetrical vacancies in very many hospitals seems to indicate that some sort of review, some sort of analysis of the effectiveness of the system, must occur. There has got to be staff in many hospitals that are under-used in the obstetrics area, as there is certainly a duplication of equipment. Perhaps it should be consolidated—almost certainly not into one hospital, but into fewer hospitals than is now the case.

I feel a particular sense of frustration with the continuing operation of the Grace Hospital, which has an extensive obstetrics function, when that hospital is doomed to be closed certainly within four or five years whereas there is a large problem with obstetrical vacancies in hospitals surrounding the Doctors Hospital. Yet the Doctors Hospital, because of a surplus bed problem, allegedly, is doomed to be closed itself.

So those types of situations should certainly be dealt with right now. Let's look at it. There is probably the potential for effecting a lot greater saving than is being held out and purported to be the case by the ministry with the Doctors Hospital closure. But the only way we are going to know that is to have a study—not of one or two or three hospitals—not to look at regression analyses for one or two hospitals, and not to start to dispute those analyses—but to get down to a study of the availability of those facilities, the duplication of those facilities, throughout all of Metropolitan Toronto.

In other areas of this province there are district health councils which have been set up. In some cases they have been effective in telling the ministry there are some alternative ways to effect savings other than those ways which have a very serious, dramatic and immediate effect on the community. If the ministry is going to satisfy the public of this city, not to mention the province, that the same sort of forethought and consideration has gone into the closing of the Doctors Hospital, surely something in place of the district health council, which is not in place in this city, ought to be struck on an ad hoc basis at this point in time. Then it could perform the function that district health councils have been doing in other localities and will be doing at some point in time in Metropolitan Toronto. Now is surely the time to do it.

The assistant deputy minister unfortunately was quoted in the press in February as



saying—and I quote from the *Globe and Mail*, Feb. 13:

I think there comes a time when the government has got to come in with lead boots and say, "We've asked you people, we've pleaded with you, now we've got to take some action."

I understand the sense in which that statement was uttered—that is that the time has come to effect some real savings. I never have agreed that the closure of the Doctors Hospital will effect that saving. But I think, very importantly for the integrity of the entire programme, is the fact that there are very many people affected by the closure of the Doctors Hospital who have lived under the application of lead boots in the countries in which they were born and countries from which they escaped. How is the ministry and the government going to explain to those persons that this government didn't really mean to roll in with lead boots? It's a very difficult problem to go out and explain to those persons affected that this programme is not that sort of ad hoc immediate decision made for whatever purposes, political or otherwise, particularly when they see some very big expensive facilities in the surrounding areas. These are persons who obviously don't understand too much about the operation of our system, nor can they understand some of the explanations put forward by the ministry. Indeed, very many of us who have a lot better command of the English language cannot understand some of the rationalizations put forward. It is important to satisfy these people that the lead boots comment was really far too callous: Really, I hope, it wasn't meant to say what it appeared to say and that behind that quote there was a heck of a lot more foresight and thought than appears to have been the case at the present time.

Part of the problem is that since the closure—since the announced attempted closure—there have been four or five different explanations given. Generally speaking, the first explanations about the hospital closings, before the specifics were announced, hinged on efficiency. When it came to the Doctors Hospital, the position moved to one of it being an old building. Therefore, when the ministry was looking to close down beds it obviously went, it says, to hospitals which were old and obviously needed replacement.

When the Doctors Hospital showed that the building could operate for eight or 10 years yet to come with its present plant, that position had to sort of take a back seat. Then the emphasis shifted to the surplus bed argument—there are surplus beds and that

may well be the case. It is hard really to analyze that argument although, as I have said before, I can't walk around this city and point to very many surplus beds except in obstetrics. I can't locate them; I can't find them.

Because that answer was forthcoming from very many members in the hospital field, the argument then shifted to the Parkinson's law argument which is that we have to reduce the numbers—never mind the argument about four beds per 1,000—we have to reduce the numbers of beds because wherever there are beds they will be filled. We have to reduce the numbers of beds. That's the argument, generally speaking, which the ministry has drifted to at the present time.

**Mr. Grande:** Not a good one is it?

**Mr. Grossman:** I know the minister will take some exception to my analysis of how the arguments have wound their way down in the last two months. Because I am not satisfied with the drift of those arguments, I say to the minister that it is time to use the six-month pause period—which, I suppose, is down to about 4½ now—to satisfy the public that there has been an objective study done of all the facilities in Metropolitan Toronto.

**Mr. Bain:** They never do an objective study; they do it on whim.

**Mr. Grossman:** There should be an objective study conducted at this particular time in order that these three or four arguments need not be trotted out from time to time; in order to dispel the lead boots argument, the lead boots scare, the worry and concern of these people who have come to this country and unbelievably see something happen here which they never saw happen in their own country. That is a hospital—a couple of doors away from where they live—close its doors, slam tight, shut. It appears to the person living on Brunswick, Major, Robert—the streets surrounding the area—as though the decision were an arbitrary one. The government suddenly decided it needed some money, had to cut back somewhere and therefore rolled into Brunswick Ave., to an old community hospital and said "We will just have to shut those doors."

**Mr. Bain:** Do you know something? Those people are right.

**Mr. Grossman:** If you want to satisfy those people, unlike the member for Timiskaming—although I am probably a heck of a lot more familiar with the operation and funding of



hospitals than he is—I am not prepared to stand here and say conclusively that there is an entirely rational system or allocation of hospital facilities in Metropolitan Toronto. I would like to find out.

My belief in the importance and value and efficiency of the Doctors Hospital is on record. I say to the minister if he and the ministry believe I am wrong, the hospital is wrong and that what I and others are saying about the duplication of hospital facilities in Metropolitan Toronto is not the case, let's just test it. Let's have a study conducted with the proper persons put on that board to let them report—as district health councils have in other municipalities—and say Miller is half right; Grossman is half right; you are both wrong; you are both right, whatever. Let's use this 4½- or five-month period in order to tell the people who have been so dramatically affected by this and other closures.

[12:45]

But I am dealing now particularly with the Doctors Hospital closure, that that closure was done on a certain basis and rationale. Let me go on record right now that I believe that study would come back and say the Doctors Hospital ought not to have been closed. I do believe that—regardless of who is put on that committee; regardless of who would study it.

**Mr. Warner:** What are you going to do about it?

**Mr. Grossman:** But I would like to see the study occur, and I would just like to see that outcome. I would like to see what an independent board would report. Just as importantly as its results is the fact of its existence as a high-profile study. It could be taken out on Brunswick Ave.—

**Mr. Warner:** He is not going to do that, and you know it.

**Mr. Grossman:** —and throughout this city, one could say: "Look, it was not arbitrary; it was not political." The report would, I suggest, say that some of the university teaching hospitals have been overspending and that there are certain rationalizations of other facilities, of equipment, of people, of manpower, which can and must occur, together with the continuance of the Doctors Hospital, or the change in use of the Doctors Hospital.

When the April 12 statement of the Premier discussed the changing of the use of that facility into an ambulatory clinic, there were those who argued that that decision was not a good decision, that the ambulatory

clinic would not work on that site. Obviously this is one of the alternatives that such a committee could discuss at the same time and determine just how valid that sort of institution would be on that site.

The reason I have faith that the Doctors Hospital would do well in such a study is that the now famous 1971 role study, conducted in part by the now famous deputy minister, did result in the subsequent approval in 1974 and 1975 of the construction of a new building on the Doctors Hospital site, with approximately 100 fewer beds. This facility was to be more towards a community health care centre with fewer acute treatment beds and different levels and types of beds, and a lot of outreach programmes into the community. It was anticipated in that role study that this would result in very substantial savings in health costs per patient treated.

I am confident that such a conclusion would well be reached, not only with regard to the Doctors Hospital, but other hospitals in the Metropolitan Toronto area, by a committee reviewing the situation over the next several months.

May I say that the importance of dealing with this thing on a rational basis, using this period of time to find out exactly who is going to go where, what services are going to be performed at which hospital, is even more crucial in view of this very serious employment problem. No one can kid anyone about the employment problem which is going to be created by the closure of hospitals throughout this province.

I noticed an article in the *Globe and Mail*, May 29, datelined Kitchener. I quote:

Officials of Texas hospitals, citing a desperate shortage of nurses in their state, were in Kitchener and other Ontario communities last week attempting to persuade nursing school graduates to take jobs in Texas.

The article says later:

Mr. Snider said the visit from officials of the Texas Hospital Association and other associations followed a report from the Ontario government to hospitals in the southern United States about Ontario's surplus of nurses.

There is no question that a surplus of nurses is caused by a lot of factors, but the fact is that surplus still exists and can only be compounded by the closures. I am not going to get into the argument today about whether there is any real dollar saving involved when they turn up on other rolls, on welfare rolls and unemployment insurance and so on.



We've been through that argument. I'm convinced that the alleged savings of these hospitals cannot be properly calculated without taking into account not only the dollar costs but the very serious social costs of having these persons become unemployed.

But the point I wanted to make, and it is very important, was the need for such a rational study of what's going to be happening in the hospital field in Metropolitan Toronto which has a budget of some \$450 million in Metropolitan Toronto is that crucial. In fact, on May 6, 1976, an official in the Ministry of Labour, Mr. Harry Shardlow, reported there were very few jobs available in the health field at the present time, and there possibly would be considerable re-training requiring in this field, but that his department would of course do everything possible to assist in that regard and also in respect to unemployment insurance. That's not much solace to the 600 employees that are going to be out on the streets if the closure of the Doctors Hospital goes through.

For the information of the House, I would like them to know that in May, according to the OHA referral list, in all of Canada there were 28 jobs available. Twenty-eight jobs available—that's a pretty serious situation. I could take the time of the House to read those jobs—they go from administration to admitting, central supply, housekeeping, medical records, medical technology, nursing—six. Six nursing jobs, two in southwestern Ontario, one in Newmarket, one in Thunder Bay, one in Edmonton and one—"no location," it says. Twenty-eight jobs, a very serious situation.

Finally, Mr. Chairman, may I say that I noted one of the concepts being discussed throughout this province is the concept of graduated beds within hospitals. This is something in which the Doctors Hospital led the field earlier this year when it agreed to close down a couple of dozen beds and replace them with only 12 in a very good, far-reaching outpatient, ambulatory type of wing for the hospital which would serve as a sort of test run for this type of programme.

It is anticipated by some people that by having three types of beds within hospitals: acute, medium-care and minimal-care, you could shift patients as they progressively improve, or conversely—after they have been admitted for tests and move toward the operation—you could save substantial dollars by moving them to the appropriate portion of the hospital. For example, a minimum bed, it has been estimated, could cost as little as \$15 per day, with the medium-care bed pro-

viding facilities somewhere around \$50, and this is very important in view of the fact that acute beds now run somewhere in excess of \$100.

I note that this was reflected in Time magazine, not always my favorite source, of May 3, 1976, in an article entitled "No-Frills Hospitals." I'd like to quote a paragraph or two from there:

Few expenses have climbed faster or higher than hospital care. The cost of a semi-private room in a typical US hospital is now more than \$113 a day, three times as high as a decade ago. In some metropolitan areas such as New York City, Washington and Los Angeles, semi-private room rates have risen above \$200.

Most hospital officials agree that the greatest single factor in this inflationary increase has been higher salaries for long-neglected employees whose wages now account for 70 per cent of hospital costs.

I believe in Ontario it's 80 per cent.

The article goes on to talk about the setting up of self-care units which have been set up at approximately 288 hospitals in the United States. I don't know how many hospitals in Canada have experimented with that sort of programme, but I do know that the Doctors Hospital was, I believe, the first in Metropolitan Toronto.

The article concludes as follows:

And she might have added the happy mood [that is at the hospital] is not entirely soured when it comes time to pay the room bill which is 40 per cent less than it used to be.

In essence, what they're saying in this article and in some of the other articles which I've read and were published in Ontario, dealing with the graduated bed-care system, is that if you go in for tests only, you can be in a minimum-care bed. Obviously, you don't need a nurse coming around taking your temperature every hour. You don't need your food brought to you. In fact, you can make your own bed. You can walk down to have your temperature taken whenever you have to have it taken, and you can certainly walk down to the cafeteria. It's almost like a motel setting. In fact, it is a motel setting. It's a motel operation. You're there because you can't be at home, but you sure don't require the use of an acute bed with all the attendant labour that goes with it.

Minimal care, then, can be very cheap. Medium type care. Obviously there's that stage between a patient being totally self-sufficient where he can make his own bed to



that of a patient who is well on the way to recovery and on his way out of the hospital but still needs some care. Perhaps he can go to the cafeteria, but still needs some nursing attention on wounds and so forth.

The breakdown of beds between acute, medium and minimum care is the type of thing which surely ought to be studied. Is it a practical system to put into effect in Metropolitan Toronto? In how many hospitals can it be put into effect? Because of the structure of the hospitals, can this system effect the substantial dollar saving which has been effected in some places in the United States, in some cases up to 40 per cent?

I don't think there is any question that every member of this assembly has seen people lying in acute care beds who did not need to be in that acute bed. But, at the same time they need not, or could not have been sent home.

Some sort of graduated use of those beds may be a very great part of the answer in Metropolitan Toronto. I say to the minister, that the budget in Metropolitan Toronto this year will be somewhere around \$450 million for hospitals, so surely no harm can be done by having an analysis of the rationality of the facilities, the effectiveness of the work force and the breakout of beds, obstetrics and others in all of those hospitals. If we can effect a very small percentage saving as a result of such a study then your savings in terms of gross or net dollars, whatever you want to call them, is enormous.

Equally important is the fact that it will say to those persons in Metropolitan Toronto: This decision has integrity. This decision is the result of a lot of study. There is an entire rationalization of facilities going to occur in Metropolitan Toronto.

No one will criticize the ministry for taking a longer period of time to have a more reasonable and rational restraint programme as it applies to hospitals, provided that they are satisfied that it was not a "lead boot" type of decision that occurred.

It's as they always say when you talk about conflict of interest, justice must not only be done but must seem to be done. I say to you, sir, that in the Doctors Hospital case I do not believe that justice has been done. If you believe that justice has been done then, please, I say to you, do what you have to do to make it appear to be well done. That's most important to those persons who have been dramatically affected.

**Mr. Bain:** What happens if it hasn't been done?

**Mr. Godfrey:** Cover it up, by all means.

**Mr. Grossman:** Let it be done. Let justice be done and make sure that it appears to be done also. It doesn't at the present time.

**Mr. Bain:** What happens if it hasn't been done?

[1:00]

**Hon. F. S. Miller:** Mr. Chairman, I am sure the member is aware that advice was given to this ministry on Doctors Hospital in a study prior to our decision. It was some years prior. But that study by the Metropolitan Toronto Hospital Planning Council did recommend the closure. I'm sure you know that the study was made to that effect. So it wasn't just a rabbit out of the hat type of decision.

I've been intrigued at the criticisms from all sides of the House, my own and the other side, on our willingness to experiment with budgetary approaches this year. Regression analysis, I think, was the first thing you referred to. One understands quickly why politicians in authority seldom are willing to try new things.

**Mr. Godfrey:** Particularly Conservative politicians.

**Hon. F. S. Miller:** This politician, of course, tried some new things. Whether you agreed with them or not, I tried them.

**Mr. Nixon:** Do you call closing hospitals a new thing?

**Hon. F. S. Miller:** No, I'm talking about regression analysis in attempting to find some better way of chopping back on budgetary strain and then simply saying, as is traditionally done: All of you can have this much more, all of you can have that much less, treat you all the same even when you're not all the same to begin with.

**Mr. Warner:** So you close the hospitals.

**Hon. F. S. Miller:** We recognize acutely some of the shortcomings of our attempts, but at least we tried them. Anybody who has been in the experimental research field knows that's how you learn. Whether you like it or not, you assemble the best possible means of correlating data. You do it; you draw your conclusions and if you have enough courage to go from there, you take your action. Well, we took some actions and we discovered very quickly from some hospitals that we didn't have all the data in. I don't even feel badly about that in retrospect.



I found representatives of hospitals, where you couldn't have cut a penny off last year, coming in and saying: "Look, the half million you took off us is a bit steep. Don't you think \$300,000, for the following reasons." Now, at least, we were talking about a cut. We were not talking about an addition. At least they recognized there was a basis for a cut, and until we took that selective approach, none of that willingness to be treated differently from the rest was evident from any of them.

**Mr. Nixon:** Well, you scared the wits out of them.

**Hon. F. S. Miller:** Every single hospital that had a budgetary cut applied against it either accepted it or had a thorough discussion during which, in many instances, we amended our figures or they amended theirs. In retrospect, I don't have any regrets about the fact that we tried a more specific approach to either additions or contractions in budgets for hospitals.

Certainly, Metropolitan Toronto with its huge health costs and its huge hospital costs remains the most fertile part of the province for major dollar savings. I can't argue that. And yet one must remember—those of us who live in rural Ontario—that about 80 per cent of the savings in this last round were taken out of city hospitals, not out of rural hospitals. That 80 per cent of the dollar savings is a fact that was missed by a lot of people. They said we attacked rural Ontario and not the city. Sure, there's good reason to consider a study in Toronto and we may do it in this interval.

I only caution you that I don't think any study of the Metropolitan Toronto hospitals will be quick, clean or easy. I don't think a six-month period will come up with answers when years and years of trying haven't come up with answers. We had three planning groups in Toronto: The University Teaching Hospitals Association, Metropolitan Toronto Hospital Planning Council and the Hospitals Planning Council of Metropolitan Toronto. There are two of them that sound so much the same that I have to be prompted each time I use the words. We've eliminated one this year and of course, our final hope is to have a district health council or councils in the Metro area.

I would say that from a report I just recently saw from some of these groups, more work has taken place. I think the two remaining councils sent me a report, a week or so ago, saying that more progress has been made in the formation of the health council

in the last year than they have seen in a long time and that they are shortly going to be willing to recommend means of forming a steering committee for the major problem in Toronto.

That won't necessarily detract from the suggestions you've made. I'm actively going to look at them and try to give you an answer if it will achieve something.

You went on to say that you went around the city and didn't see many available beds and Parkinson's law or something applied. I'll stand up and defend the fact that the control of the total number of beds is still the most effective deterrent to over-utilization of the hospitals in the province. Good arguments could be made that we're still away too high in our numbers of beds.

**Mr. Nixon:** It certainly said something about the beds in the province.

**Hon. F. S. Miller:** It said something about you and me, too, as patients.

**Mr. Nixon:** We don't sign ourselves in—maybe you do.

**Hon. F. S. Miller:** How many times have individual members come to me when a family has objected about the removal of a patient from a hospital who the doctor thought was inappropriately there?

**Mr. Nixon:** Is there something you can do about that? You would reverse a doctor?

**Hon. F. S. Miller:** I don't reverse a doctor. But I could tell you a good many members quietly come to me, and I would say more members are approached by their constituents. Is there a member here who hasn't been called on a Saturday or a Sunday by an irate family member who says: "They're going to take mother out of the hospital and I don't want mother out of the hospital." I got called in the middle of the night not long ago by a man who wanted to get into a hospital. He said to the doctor who was looking after him and who refused to admit him—and I give that doctor a great deal of marks—"I know the Minister of Health." He happened to be talking to my surgeon.

**Mr. Nixon:** He obviously wanted to go into an Ontario Hospital.

**Hon. F. S. Miller:** My surgeon said: "I know the Minister of Health too. Why don't we phone him?"

**Mr. Godfrey:** How come you have a surgeon?



**Hon. F. S. Miller:** I think it's normal for people of my rank to have their own retinue, is it not?

**Mr. Nixon:** Idi Amin had one.

**Hon. F. S. Miller:** No, that's *ad idem*; that's the country right beside Idi Amin.

**Mr. Nixon:** Ad nauseam.

**Hon. F. S. Miller:** The nursing surplus was touched on, and the number of jobs in the province in the health care field was touched on. There is a nursing surplus—not caused by the current constraint programme but aggravated by it, not caused by the graduation of more nurses but aggravated by it—but caused by two things.

The tremendous increase in the salary of nurses in the Ontario hospitals is one. We had a pool of about, I'm told, close to 40,000, either inactive or part-time nurses in this province. About 55,000 or 60,000 were working. Many of them were housewives who hadn't put their hands at the nursing profession more than the odd day for a long time. When salaries went from the \$6,000 range to the \$14,000 range in a period of two years, for many the temptation to go back to work became very real.

Secondly, the sag in male employment opportunities in this province caused many a woman who was a nurse and who had not worked to be faced with the alternative of having no family income or her getting back to a job she could take. I can tell you in my own home town that occurred with a number of nurses when Corning Glass closed its plant. Nurses who were quite happy to have been at home suddenly became the breadwinner of the family. So we had this tremendous number of people available to perform the service who returned for one of several reasons.

When salaries were in the \$6,000 and \$7,000 range, the doctors and the administrators in the Toronto hospitals will tell you, it was hard to stock Toronto hospitals with nurses for awhile. We actually had employment agencies providing shift nurses and being paid a premium for finding them. That's within two years. That's so completely changed now. But the apparent shortage then did encourage government to step up the training of nurses. Those nurses will be coming on the market very shortly.

**Mr. Nixon:** They are going to like it in Texas.

**Hon. F. S. Miller:** As far as jobs are concerned, obviously, the vacancies posted—and they're only 28—reflect not the number of

people entering the system, but reflect the number of people who cannot be found within the application lists for a given institution. So we have lots of people getting jobs; lots of people changing jobs but very few hospitals having to say: "We are in need of the following kinds of people." They can find them on their own application lists right now.

Let me try to emphasize my responsibilities as the Minister of Health because it's been touched on by one or two speakers, *vis-à-vis* employment. First, to those people displaced from a hospital job, we have, as a government, a responsibility—whether they are a floor cleaner or a head nurse—to help them find another job in the system. They should have, in my opinion, the first right of access.

Secondly, though, it is not my responsibility to create jobs just to provide employment. My job is to create jobs that provide necessary services efficiently; no more, no less.

Self-care you touched on and we have a number of experiments in self-care. I suspect that the one at your hospital was done at the overt request of our ministry to assess it. Self-care is only useful if you replace acute beds with the self-care beds or if you would have had to build acute beds that could be prevented by the use of a self-care unit. Our basic problem remains too many acute beds highly staffed right now.

With that, Mr. Chairman, I'm pretty awake for the next speaker.

**Mr. Godfrey:** Mr. Chairman, I enjoy commenting upon the Ministry of Health estimates once again, and realizing that most of the things I said at the last session, I could repeat this session. Apparently, they were either not heard or not valid. I suspect it was the former. I have little trouble wiping off some of the feathers from the albatross which is around the member for St. Andrew-St. Patrick's neck as all this shaking goes on in the back ranks of your desks. I'm afraid that albatross will remain there. It is a little discomforting to see him making pleas across three—

**Mr. Nixon:** It is not a monkey on his back, that's for sure.

**Mr. Godfrey:** —banks of benches when he could easily have your ear. I am going to talk about private labs. This is just a preamble, Mr. Chairman.

I was interested in your sally into the field of research and I enjoyed it very much. I appreciate that the research tool of the regression analysis may have some validity. Like many research tools, though, it is a cold



knife which does not take consideration of what is cut. I would suggest to you the hospitals are not subject only to regression analyses when you're considering closing them. Hospitals are a vital part of the community. They are a living, pulsing part of the community as you found out, much to your discomfiture, I'm sure.

**Hon. F. S. Miller:** I stand on a point of order, Mr. Chairman. The regression analysis had nothing to do with closures. Nothing.

**Mr. Godfrey:** I see. I had understood one of the main reasons for saying we would save money was that the regression analysis showed certain inefficiencies were in the system and, therefore, we could proceed on that, and that proceeding on the data which flowed from the regression analysis—eight or 80 per cent, it doesn't matter—savings could be prognosticated. Therefore we would close down this, this, and this. I believe I am valid on that.

The only question I would put to the minister inasmuch as he's now got into the field of research, all research requires a permission from an ethical committee when it is dealing with humans that says you may conduct this research if the humans are not damaged by your research process. I suggest very strongly to the minister that he stay away from using the word "research" when he talks about closing hospitals unless he gets that permission from an ethical relations committee. No respectable researcher would think of doing it without that permission.

However, to go on to the private labs, I would remind the minister that the regression analysis was used for the budget reductions and for staff reductions. Certainly they involve humans and I do think the ethical relationship does arise once again.

Speaking directly to the point of the private labs, which is the order on the budget here, I would preface my remarks by pointing out that not all private labs have been tarred, I hope, by this rush of kickbacks and other things like that. I realize there are many ethical private labs and we are in the process now of weeding out those where there have been some inconsistencies from the reasonable rule of normal behaviour. I was delighted to see that the minister withdrew Bill 59. It was unfortunate that in that Bill 59 there was nowhere laid out the role of conflict of interest in the operation of private labs.

[1:15]

In 1972 we urged the Minister of Health at that time, Dr. Potter, to do something

about the private labs in which doctors had a vested interest—those vested interests might lie in outright ownership or might lie in the fact that the doctors sat on the boards of directors of the private labs and had a particular private interest. However, today I would speak more of those who own and operate labs.

As you know, Mr. Chairman, private labs are a profit-making business as opposed to hospitals—hospitals are not involved in profit-making enterprises. There are many examples—at least in Ontario five or six—of large conglomerates of private labs which have been formed into one particular area—MDS Laboratories Ltd. is a very good example. This lab complex was founded in 1969—the first full year of OHIP's coverage, very interestingly. Between 1970 and 1974 they showed an increase in gross revenues from \$2.3 million to \$15.8 million, and a net income from a deficit of \$652,000 in 1970 to a profit of \$804,761 in 1974, the last year for which we have full figures.

This complex owns some 90-plus labs and other large numbers of specimen-collection centres—known as bleeding-stations—in Ontario and Quebec. In June, 1975, the report to their shareholders read:

Gross revenues for the first six months of the fiscal year 1975 were \$9,517,000, a 26 per cent increase over the same period in the fiscal year 1974. While net income for the same period decreased slightly to \$438,000. Earnings per common share remain constant at 20 cents. Effective May 1 the payment schedule for laboratory medicine in Ontario was increased 12 per cent. [continuing from the report:] It is expected in the second half of the fiscal year 1975 a continuing programme of efficiency improvements plus the upward adjustment of fee schedule will allow MDS to keep up the higher salaries and material costs of this inflationary period.

This is just to demonstrate the fact that some people have a very vested interest in how laboratories, and particularly private laboratories, are conducted about the country because quoting from their syllabus from 1973—this was in 1973, Mr. Chairman:

The Ontario government has expressed concern about rising health-care costs in the province, and although laboratory fees are only a small proportion of the total dollars paid annually by OHIP [In 1974 that was between six and nine per cent. Going on further with the quotation] it may be assumed that the cost of laboratory services will be given careful scrutiny by



the Ontario government in any effort to improve the effectiveness of provincial health-care expenditures or to reduce the cost to the province of such services. [They then go on to say:] The company also faces competition from hospitals and from government agencies, such as public health laboratories, which provide services similar to those provided by the company.

Here we have an example of a private association which is in competition with a government-provided facility frankly admitting that, and frankly making plans to expand its particular share of that business. I put it to you, Mr. Minister, through the Chairman, whether something could not be done toward a little more containment in the amount of services flowing to the private labs at present.

Indeed, you have already received a great deal of support for that type of thinking from members of the medical community as a whole. You have already had several projects—for example, the Hamilton project under Dr. Haggart which I will talk about later—which clearly demonstrates the advisability of putting more money into the public sector from OHIP or other funding agencies and less money into the private sector.

I would point out to you, sir, and remind you, Mr. Chairman, that there exists an establishment called In-Common Laboratories. The In-Common Laboratories act as a clearing house for hospital laboratory work. It is a method which encourages maximum use of facilities in hospital and development of high expertise. Hospitals which send in work are billed at approximately 50 per cent of the OMA plus 10 per cent overhead. Hospitals which do the work receive 50 per cent.

It would seem there is a real use for the In-Common Lab type of operation, far more than at the present. I am sure Mr. Chairman, the minister is well aware of the letters that have passed between himself and the In-Common Laboratories urging that more be done for the In-Common Laboratories. The saving in actual fees is, of course, tremendous.

For example, the private laboratories bill and receive at a separate charge to the government as compared to the In-Common Laboratories. The In-Common Laboratories, for example, bill cholesterol at 54 per cent of the In-Common percentage of OHIP, triglyceride tests at 36 per cent, TS3-uptakes at 42 per cent and T4 totals at 44 per cent of what would normally be charged by the private laboratories.

Working on this basis you will realize the fantastic profits which the private laboratories

are making from OHIP at present. I would point out in passing that if we combine those four tests which I have just mentioned, which are just four of a whole series of tests, then in the last year on an estimation of the amount of lab tests being performed—and these are all current tests which are being done mainly for hardening of the arteries, if you can put it in that term, and for thyroid dysfunction—from cholesterol, triglyceride, TS3-uptake and T4 totals the saving to the government which funds it would have been somewhere in the neighbourhood of \$1.7 million. Just on those four tests alone and against a galaxy of possibly 250 laboratory tests against which you could put that saving. The saving would be multiplied at least 40 times if we did a much more in-common laboratory operation.

**Mr. Warner:** Better than closing hospitals.

**Mr. Godfrey:** In addition to which, the in-common laboratories at present have far more facilities to do the work which is available. I would ask that the minister consider the down time on the expensive equipment which is already in hospitals and not being used on a fully operational basis; the down time on the weekends when only emergency laboratory work can be done; the down time in the evenings after 5 o'clock.

Now, this is not news to the ministry, I am sure, Mr. Chairman. They are aware of these things. I do not come as a messiah, pointing out the way to stop closing hospitals. But I may be a bit of a tocsin who says, for goodness sake, let's take this route rather than the other route.

The down time that applies to weekend work and evenings alone could absorb a great deal of the work which goes to private laboratories. Yet the ministry will not fund hospitals in order to put on that type of weekend staff. The ministry won't even fund in-common laboratories to set up bleeding points so they can withdraw blood in a particular area, rather than having to have it shipped in from hospitals or other areas.

These are all reminiscences to the minister, he is well aware of these facts. He is well aware of the fact that he is not taking any action on them. Sure, he is going to devise a new laboratory form for the labs which will say, you can do this, do this, do this, but don't do that, and that's fine, that may save us a few dollars, may rationalize the system. But when we get around to talking about a real cost saving in laboratory fees, then we have to talk about something more definitive.



I would point out to you—and the minister already has these figures—we should look at the runaway inflation which is going on with lab costs. Here we have payments to private laboratories by OHIP: 1972, \$27,700,000; 1973, \$35 million; 1974, \$54 million; 1975, \$75 million. It will go up and up unless something definitive is done with this wastage of public funds. The minister is well aware of this, Mr. Chairman. He has already read the excellent article which I believe he may have partially commissioned, or at least is aware of, from Drs. Brain, Hagggar, Moore and Cameron of the Hamilton district, who did a Hamilton district programme in laboratory medicine and ended with these following statements which I would like to read into the record.

Commercial laboratories bill the government for all the tests they perform and their revenue rises in direct proportion to volume. The fee schedule makes no allowance for the volume of tests performed and therefore does not reflect the low incremental cost achieved by most up to date automated equipment. The hospital laboratories, on the other hand, operate with fixed budgets and have no control over the demands for their services. This is especially invidious for the outpatient diagnostic services where insufficient funds are provided to pay for the additional costs associated with continually increasing demand.

They go on to point out the importance of centralizing laboratories and make another plea for in-common laboratories ending with the recommendation:

A change in the funding so that the actual cost of diagnostic and laboratory services is met by an appropriate, realistic level of support for public hospitals and commercial laboratories, taking into account the different nature and true cost of the services they provide.

I was interested to hear that the minister is taking part in an LPT test which will examine the efficiencies of private laboratories and public laboratories.

He mentioned in passing—the sort of let it slip out—that private laboratories can pay more for their technicians; therefore, they can deliver a higher level of expert service. You may deny that, sir; that's the inference I took from it.

**Hon. F. S. Miller:** On a point of order, the insinuation came from your side of the House that private labs made a profit by paying minimum wages or less. I simply said I found

it hard to believe that people of that kind of skill would be going to the private sector and taking low wages.

**Mr. Godfrey:** Thank you for the clarification. I wish I had similar clarification on other contentious matters which are put forward by the minister.

The point is that if you are going to go to do a comparison I would insist the comparison take into consideration the effect that the private laboratories are in a profit-making situation and are rewarded for doing more work. Hospitals are not in a profit-making situation and are not rewarded for doing more work. As a matter of fact, in many cases they are penalized for doing more work because their staff is overrun or overworked.

**Mr. Warner:** You save money and you close them.

**Mr. Acting Chairman (Gregory):** Prior to the response from the minister I have been handed a bulletin that Ottawa's peace and security bill passed second reading at 1 p.m.; 133 voted for and 125 voted against.

**Mr. Minister,** on that happy note?

**Hon. F. S. Miller:** On that note, yes. The member for Durham West and ourselves are not at odds quite as much as he would like to make out. We agree—first of all, we brought in Bill 59 and your party thoroughly denounced it and said it wouldn't support it because it was a nothing bill. I don't know where your leader got that opinion because the nothing bill gave this ministry the kind of authority that, in my opinion, the ministry should not have. That was the right to cancel licences without any appeal whatsoever.

**Mr. Nixon:** You withdrew that bill?

**Hon. F. S. Miller:** No, I haven't withdrawn the bill. I am holding that bill, as I said in my opening statement, until I have amendments to it which I can live with. Those amendments will require some type of appeal mechanism, some kind of review to determine where surplus capacity exists and who should lose the capacity which is surplus.

**Mr. Nixon:** You must have thought the bill was inadequate also; is that right?

**Hon. F. S. Miller:** I simply say it was too forceful vis-à-vis the arguments being lodged by the NDP. It gave me the authority to cancel out anybody I wished to without any appeal.

I would point out that we have draft regulations, as I mentioned again earlier today, defining the classes of persons who may not own laboratories. They are very simply defined. Legally qualified medical practitioners are designated as a class of persons who shall not be owners of laboratories or have any interest therein. Laboratories designated in a schedule and which are operated on a financial basis which has been approved by the ministry are exempt from that section 1 and a few special labs will be exempt also. I think you will find that is a very sweeping regulation and I believe it is in the right direction.

[1:30]

**Mr. Duksza:** Excuse me, on a point of order, Mr. Chairman. I don't quite follow you. Is the minister saying that this is now the law?

**Hon. F. S. Miller:** No, that's a draft regulation right now that has not, as yet, proceeded. I am letting you know what we are thinking before we bring forward the regulation as law.

**Mr. Godfrey:** It is in direct response to our request.

**Hon. F. S. Miller:** It is in direct response to our study within the ministry. If it happens to correspond with your direct request then, for a change, we are on the same wavelength. That's what I was trying to say to you in the beginning. We recognize many of the problems you are discussing as being valid ones. We don't accept all your conclusions. That's the difference. In other words, is there a place for the private lab or not? Yes, there is. Is there a place for the public lab? Yes, there is.

**Mr. Makarchuk:** Well, why do you close the public ones and not the private ones?

**Mr. Duksza:** Because the public ones are not his friends.

**Mr Acting Chairman (Gregory):** Through the Chair please.

**Hon. F. S. Miller:** The areas of utilization of existing publicly owned facilities and hospitals, whether by the hospitals themselves or any other people, will require a fair amount of study and a funding mechanism that is fair. The last is a very difficult thing to evolve. I quite agree that volume-price relationships have to be established for certain tests. I think it should be realized we have both an OMA rate for automated tests and a

manual rate for those same tests, where the company is, in fact, able to do automated work and they are paid on that basis.

In summary, apart from your perhaps traditional fear that "proper" means ripoff, I have many feelings in common with you and we are going to rationalize the laboratory system in Ontario.

**Mr. Riddell:** I would like to take this opportunity to associate myself with and endorse the remarks made in this debate on the Health estimates by my leader and Health critic.

As a member representing the people of Huron-Middlesex, I am also determined not to relax in my efforts to stress the importance which those of who live in the riding attach to our community hospitals and the dismay and concern with which we have witnessed the government's apparent vendetta against us.

On April 15, the Clinton News-Record carried an editorial which, to a great extent, reflects the feelings of the majority of the people I represent. The headline read, and I quote: "Democracy has suffered here." The editorial continued:

Even though few people realize it, democracy has suffered a severe setback in the Province of Ontario. Didn't they teach us in school, just a few years ago, the definition of representative government was government for the people, by the people? But after the fiasco here in Clinton in the last several months it appears that it is government by the government and to hell with the people.

Premier William Davis' decision to close the Clinton hospital without any real compromise is a first-rate example. Not once did they ever consult with the people. Sure, they put on the big act that they were listening to our beliefs and reading our letters which poured in by the thousands but where did it get us? Nowhere.

All so Mr. Davis could save face; all for the sake of public relations; just a political farce. Sure, the Premier made it look like they compromised. But really what is left?—an x-ray unit and ambulatory care service and a few doctors' offices which weren't there in the first place. There are no active treatment beds. There is no place for sick people from Clinton and area to go when they really need it. Just as important, there are no jobs for nearly all the 110 persons who worked there. What kind of compromise is that?



To those who say he is saving money, I say hogwash. Instead of paying \$75 a day and travelling a few miles we'll have to pay \$150 a day and travel 50 miles to London. The nearest hospitals, namely Seaford, Goderich and Wingham, have indicated they are full and can't accommodate the patients from Clinton and surrounding area.

As has been said in this column before, Davis' Tories have used Clinton and the other small-town hospitals as a sacrificial lamb, a sort of scapegoat in a farcical game he is playing with the voters in the name of restraint.

That's a strong indictment of this government and I feel that it is completely justified. From the outset of the announced restraint measures, including hospital closures, it's been seen that the riding of Huron-Middlesex had been singled out for very special attention—the kind of attention which we could well do without. First Goderich Psychiatric Hospital was threatened with the Health minister's axe. This was a hospital which over a period of some ten years has provided excellent and very comprehensive mental health care. Some 90 per cent of the 200 or more patients at the hospital participated in training and rehabilitation programmes with only 10 per cent receiving purely custodial care. The hospital had one of the highest admission rates in this province for a hospital of comparable size and capacity with something like 50 to 60 admissions and discharges each month. This alone is testimony to the quality of the treatment provided.

The closing of Goderich seemed particularly incomprehensible in view of the fact that only a few months before, the hospital had received from the Canadian Council on Hospital Accreditation one of the highest accreditations of any hospital in Ontario. In the area of rehabilitation, Goderich is considered one of the best in Canada. It's true that, largely as a result of protests from the opposition in the local communities, supported by respected members of the medical profession, Goderich was not actually closed. Nevertheless, only 20 beds were retained for psychiatric care, the remainder of the facility being converted to the care of the mentally retarded. Thousands of the people of Huron-Middlesex wrote letters and signed petitions of protest.

I would quote from one letter to the Minister of Health, of which I received a copy:

If you and the cabinet are humanitarian to any degree, you will reconsider your

decision and if progress is the name of the game, do not slide back 20 years in time. Goderich Psychiatric Hospital is recognized as one of the leading mental health resources in Ontario. God help us if we are forced to give up when we have come so far. It will then be not only recession but rather regression.

Again, from an open letter to the Premier:

One suspects the real reason for the closure of the Goderich Psychiatric Hospital is a petty matter of financial juggling of differential federal grants with respect to psychiatric hospitals and mental retardation centres. Government today appears to be carried out by politicians rather than statesmen. I think we would nevertheless do well to bear in mind the words of at least one statesman, George Washington who said: "Government is not reason. It is eloquence. It is force. Like fire it is a dangerous servant and a fearful master. Never for a moment should it be left to irresponsible action."

The case of Clinton Public Hospital was appealed in divisional court and the closure of Clinton and three other hospitals was ruled invalid and rightly so. Centred on two major highways, Clinton is virtually the hub of the county. The hospital's emergency department is very busy, with many emergency surgical procedures carried out as a result of motor vehicle accidents. It is the only hospital in the area with five certified active specialists on staff, with four highly trained anaesthetists.

The hospital has a long and excellent history of surgical achievement and the volume of surgery carried out is comparable to much larger hospitals. No other hospital in the area has a laparoscope for diagnostic and therapeutic procedures and patients come to Clinton from miles away for this service. There is a first-class remote cardiac monitor and resuscitation team available 24 hours a day with successful resuscitation rate of 100 per cent for 1975. The hospital specializes in the treatment of haemophilia and was asked by the university hospital in London to establish a renal-peritoneal dialysis unit for patients in the area. It is functioning very successfully and is, in fact, the only one in Huron county.

There is no possible justification for closing down a hospital of this calibre with this kind of record. Had we the time I could table in this House statistics and reports which would prove beyond a shadow of a doubt that Clinton should and must continue in operation. However, in view of the fact that it has been agreed for some extraordi-



nary reason that the Health estimates should be debated in a comparatively limited time period, in spite of the enormous sums of money involved, in spite of the medical and public issues at stake, I feel my best procedure at this point is to quote a letter from Doug Coventry, the administrator of Clinton hospital, a man for whom I have the highest respect. He has described the closing of the hospital as a tragedy for Huron county and on April 16 he wrote to the acting Minister of Health, the Hon. B. Stephenson. I would like to quote his letter.

Dear Dr. Stephenson:

Two years ago I remember attending the OHA section meeting at which you were the guest speaker. I remember then how you talked to us about quality care and how impressed I and many others were by your strong convictions. I wonder if you realize what you are doing to the people of this community, good, honest, hardworking people, so proud of their small, rural hospital. You are destroying what they had come to accept in the past as something that was always there to give that quality care, with someone who cared always there to greet them when they were sick and needed help.

Frustration and anger has given way to disillusionment and disbelief that such a thing could happen in this great province of ours. Thomas Paine, in "First Principles of Government" wrote, "He that would make his own liberty secure must guard even his enemy from oppression."

I ask in all sincerity, without rancour and with great respect for you, how can you reconcile your Hippocratic oath with decisions that you are now making as a politician?

I am the administrator of Clinton hospital, writing you as a citizen of Clinton not as a hospital employee. I am convinced that this decision is wrong and plead with you to reconsider. Come to Clinton and see for yourself.

As someone who has spent over 30 years of my life working in the health field as a general duty nurse, or supervisor in hospitals of up to 400 beds, director of nursing and now as administrator, I can say, in all honesty, that this hospital is second to none. To close it as an active treatment facility would be a tragedy. It took courage to do what Frank Miller had to do. Courage is also that virtue which champions the cause of right. We all know that you have this virtue. Please do what you know is right.

I realize the ground which I have just gone over is ploughed ground but I firmly believe that this ground must be harrowed in order to give the seed an opportunity to germinate.

I hope that I, along with the people in the riding which I represent, have implanted the seed in the mind of the minister and I do hope that the minister will give that seed a chance to germinate and will give our small communities a chance to continue to function.

**Hon. F. S. Miller:** That was a very eloquent speech and there is nothing I need to say back to it, of course. I can only tell you I had some nine weeks during which the germination process took place.

**Mr. Bullbrook:** Very good.

**Mr. Bain:** The questions I would like to raise today with the minister cover two areas. I listened with interest to the comments made by the member for St. Andrew-St. Patrick and the difficulties he has experienced with the government's decision to close the Doctors Hospital. There was some question about the government listening to properly constituted hospital boards and he felt that once you had listened to these boards in a rational, attentive manner you would come to the right decision and that all that remains for you to do is explain to the good citizens of his riding why you made that decision; once this was explained fully they would be in accord with that decision.

I'd like to remind the member for St. Andrew-St. Patrick that well over two years ago there was a decision made by the Timiskaming hospital board as to the location that would be chosen for a new hospital. Surprisingly enough, the minister disagreed with the decision made by that hospital board; whether that decision was the right one or not, it was made by duly constituted hospital board. When the minister disagreed with it he appointed six—I believe it was—

**Hon. F. S. Miller:** Four.

[1:45]

**Mr. Bain:** Four? He appointed four new members to that board, members for whom it could be said that one of the most distinguished contributions they had made to their respective communities was their allegiance to a particular political party. Even for these four people who were appointed, there was a considerable amount of strain and stress for although, as I said, they seemed to have been chosen for their political allegiance and dependability, they nevertheless were good people who I feel were conscientious



and wanted to discharge their new duties, but they found it difficult to do this because they didn't know quite what was expected of them.

Consequently, with the four new appointees and the amazement on the part of several communities that were represented under this board, there were a number of communities that refused to elect members to the board because of the minister's stacking of it, and I believe even today there are some communities that still are not represented. For a considerable length of time it was uncertain exactly what this reconstituted hospital board was to do, other than to rubber-stamp the decisions as made by the minister.

The point at stake, I feel, is that when you have a locally constituted board, whether they decide on a course of action that's in total agreement with the minister or not, they should be given the right to make that decision. Surely to goodness we see in this House time and time again that the government makes irrational decisions. Closing of rural hospitals is one example that sticks in all our minds, but the government makes that kind of a decision. The government seems to have an idea that the government is invested with certain decision making power.

Does the government also maintain that it is the only body in this province which should make decisions? If you have a locally constituted hospital board, let that hospital board make decisions that are within its jurisdiction and let the local people, through a little give and take, come to a decision on their own part. By interfering with local decisions, it would seem that the only level of government that's allowed to make any decisions in the area of health care is the minister and the government.

If that's true, then why don't you just disband all the hospital boards and run everything from Toronto? At least be honest with people. If there are to be locally constituted hospital boards, let them know exactly what it is they are supposed to decide, let them know what their area of jurisdiction is.

I personally believe that hospital boards should be constituted on the same basis as municipal council and school boards, elected locally by the people to serve and make decisions in certain areas. I know in our area the hospital board is somewhat unique in that all the municipalities represented under the area of the board have as members all the people within each of those municipalities. This is a step that apparently hasn't been undertaken in many other areas. I think it's a step in the right direction, a step toward a democratization of hospital boards.

Without going over a lot of the ground that has already been covered by the minister in the past, I would simply like to ask him two questions. I have outlined for him some of the problems that I think have been inherent in the decisions that have gone on on the part of the ministry in regard to the locating of a new hospital in the Tritown area. I am afraid we will all have to live with those mistakes. Some of the local feelings will be very difficult to overcome in the years ahead but I feel that you can do this if you will make two commitments:

1. I think you should make a definite indication to the people in the area what the exact jurisdiction of a hospital board is, what rights it has and what duties it can be expected to discharge.

2. What is to be done with the Haileybury unit of the Timiskaming hospital and the New Liskeard unit of the Timiskaming hospital when the new hospital is built? We have a situation in Haileybury where there is a good facility, the old Haileybury hospital. Is it to remain vacant? Is nothing to be done with it? Or will it be used as a facility in the overall field of health care?

If you can make a progress report for us on the exact status of the new hospital that is to be built on Radley's Hill, as well as to what is going to be done with the old hospital in Haileybury, I am sure all the people in the area would be interested to hear your reply.

The second major matter I would like to raise with the minister today concerns the old Kirkland and District Hospital. No doubt the minister is aware that upon the local community being concerned about this building remaining vacant, a petition was presented to him in this House; pursuant to that, a study was undertaken by the institutional planning branch of his ministry as to the overall health care needs of the Kirkland Lake area, specifically as to whether a chronic and semi-chronic care facility should be made out of the old Kirkland and District Hospital. Before this study was presented to the local community—indeed, I would ask whether the study has been completed—the community received a letter from the Ministry of Government Services advising them that the hospital was for sale for \$1,185,000, and if they wanted to buy it they should send in their cheque. This was before your ministry had advised the local community that your study was completed. Has the study been completed? If it has, what are its recommendations? If it hasn't, could you kindly advise the Minister of Government Services (Mrs. Scrivener) not



to sell the old hospital at least until your ministry and the Ministry of Community and Social Services has come to a decision as to the overall need in the community for chronic and semi-chronic care facilities?

I feel that the minister and the ministry in this particular area are not really aware of the need in a northern Ontario community. In a city there are many auxiliary kinds of health care services, and people fit nicely into nursing care, meals on wheels and all the other programmes that the ministry has undertaken, but in a northern Ontario community there are very few of these programmes in place. You might tell people in a northern community they shouldn't be in a chronic or semi-chronic care facility, but there is no alternative for them. The nursing home is full; in fact, almost a majority of the people in Teck Pioneer Residence require chronic care, and that isn't the kind of facility it was designed to be. There is a tremendous need for chronic care and semi-chronic care facilities.

You might even get into some sort of arrangement with the Minister of Community and Social Services (Mr. Taylor) whereby a little bit of innovation would be undertaken. There are many people, especially elderly miners, who for various reasons have no family and live by themselves in rather deplorable conditions. There are no facilities for them to move into. Maybe they are not classed as requiring chronic care or semi-chronic care, but there is a tremendous need there.

One example that was brought to my attention by Dr. Rumball—and it is not an isolated example by any means—involved an elderly miner, living in a boarding house, who was becoming bed-ridden and couldn't get up very easily. The owner of the boarding house would move him every day to a place by the window, and he would sit there for the day until he was moved back to his bed. By the time they took that man to the doctor, his leg was so inflamed that they had to amputate; that man is still in hospital and when he is discharged, he will have been reduced to a level where by now he certainly does need chronic care help. But if he had been helped earlier this situation would not have arisen.

The kinds of people who could also be included in an overall health care complex, may not need the traditional definition of chronic care but they do need some regular attention from a nurse in an institutional setting. The utilization of the old Kirkland and District Hospital as a chronic, semi-chronic and kind of open-ended area where elderly

miners and other people could live out the rest of their lives with dignity and self-respect is something that I think your ministry should undertake.

**Mr. Hall:** Mr. Chairman, I just want to make a brief comment to the minister. This is in connection with a relatively recent organizational change in the field of health in the establishment of district health councils.

**Mr. Bain:** Mr. Chairman, on a point of order, could I inquire if the minister will be answering after the member asks his question? Will he answer me?

**Hon. F. S. Miller:** I can answer very quickly right now and get it over with if you want me to. I think the member exhibits a simplistic view when he says that there isn't a local input and that we ignore all the advice we get from boards. The fact is, boards are subject to the Public Hospitals Act and the authorities are pretty clearly spelled out. It requires the minister's approval. I am, as I keep on pointing out, the person elected—so are you—to represent your constituents here to discuss health costs.

Rightly or wrongly, both accommodation and advice from the former resident member, and advice from my staff, indicated that the wrong location had been chosen in the Haileybury-New Liskeard area for a hospital. You know I visited that board at least three times and discussed the problem with them. You know it was a totally geographic vote of seven to six every time on the choice of a location. If there had even been one person from each town willing to see your point of view I could have believed that there was something other than a geographic vote on that choice of location. There was not.

**Mr. Bain:** Maybe these people were Conservatives.

**Hon. F. S. Miller:** Yes, and I put them in there too. They were not chosen because they were Conservatives. I wouldn't have the foggiest idea what they were or who they were. The fact is that we determined after real consideration to reject, for a change, the advice of a local board that seemed to have made a biased choice. We had a number of visits. I quite properly delayed affirming my decision until I went to the area and saw the site. That visit made me think I was all the more correct.

On the Haileybury hospital, I think the decision has been made that it will not be a

chronic facility. In the case of Kirkland Lake, we still haven't got the results from its latest study. I think you're aware that in Kirkland Lake the study was carried out on behalf of the community and I am led to believe that that study said that there is no need for a separate chronic facility in Kirkland Lake; that the new hospital is adequate for the provision of chronic facilities, and that the best means of achieving chronic care, if extra beds are needed, would be through an addition at the present site. Okay?

**Mr. Bain:** On a point of clarification: What purpose does the study that is presently being undertaken by the institutional planning branch serve if you've already made the decision at Kirkland Lake?

**Hon. F. S. Miller:** I'm telling you what the previous study said, I am told. It wasn't done by this ministry.

Hon. Mr. Welch moved the committee rise and report.

**Mr. Deputy Chairman:** Before I put the motion, the Chair will attempt to recognize the hon. member for Lincoln when we resume our debate on the estimates, as he was interrupted.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Deputy Chairman:** Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Mr. Speaker:** Statements by the ministry.

#### MERCURY POISONING IN IRAQ AND JAPAN

**Hon. F. S. Miller:** Mr. Speaker, while I haven't a prepared statement, I wanted to say that after the question period today, I will be tabling copies of the mercury reports. They are still in rough draft form. I have to point that out to the hon. members. There may be editing errors; there may be minor corrections to be made because we rushed this typing. We've already found some minor errors, but at least the bulk of the report and the recommendations will be before this House. I would be prepared, during the continuation of my estimates debate this after-

noon, to have answers to, or try to answer questions arising from it.

[2:00]

#### COW-CALF PROGRAMME

**Hon. W. Newman:** Mr. Speaker, I am pleased to inform the members that the province's beef-calf income stabilization programme is open for 1976 registration. Producers who are participating this year for the first time will be able to get contracts and enrolment forms from their local agricultural representatives after July 12. Producers who participated last year will receive their enrolment forms through the mail in the next few days. All contracts will expire in June, 1980. Enrolment closes this year on Aug. 16 and only cows in the producer's possession as of today, June 22, may be registered.

The support price is calculated on the basis of 100 per cent of the producer's operating costs. This calculation gives a support price of 51.1 cents for 1976, but we are not raising the support price above 50 cents, because we would then be obliged to raise the premium per cow to nearly \$9. For every cent we raise the support price, we would have to raise the premium another \$4.

The premium for 1976 remains unchanged from 1975 at \$5 per cow. Since the cow-calf business is still in some difficulty, the government did not feel that a premium increase was warranted at this time.

Premiums must be paid upon enrolment or the farmer may ask that the premium be deducted from his support payment cheque.

Again this year, all beef-calf producers resident in the province are eligible, regardless of the size of their operations. Cream shippers are also eligible.

Although the price being supported by this programme is that for calves, the payments are made on a per-cow basis. Payments are made for each cow registered in the programme, and monitoring will be carried out to ensure that applicants are bona fide beef-calf operators or cream shippers.

The payment is based on four factors: the support price for calves, which is 50 cents a pound this year; the weighted average market price for calves, which will be calculated from fall sales; the average number of calves from 100 cows, which when calculated for the whole province is 85; and the average weight of the calves in the fall, which is 450 lb each.



I might point out that the farmer is not obliged to sell his calves. He may keep them and sell them later, or not at all, while still qualifying under the beef-calf programme.

I wish to stress that the programme is based on averages. All producers receive the same payment per cow regardless of the individual selling prices of their calves or their individual costs of production. We do it this way partly to simplify the programme for all concerned, but more importantly because we feel that this method interferes least with a farmer's decision in the management of his farm, while at the same time guaranteeing him a reasonable return for his investment and effort.

Members will recall that this programme was introduced last July to stabilize the incomes of beef-calf producers and to encourage a continuing supply of Ontario-produced beef. It is a voluntary programme; producers who do not wish to participate are under no obligation to do so.

The programme was well received by producers last year, with 12,000 farmers registering more than 300,000 cows. With a weighted average market price of 29.8 cents a pound, farmers received a net payment of \$72 per enrolled cow, for a total of \$22.5 million.

### CLOSURE OF ARENAS

**Hon. B. Stephenson:** Mr. Speaker, during question period yesterday, I undertook to make a statement concerning arenas in the Province of Ontario.

I wish to assure all members that the government, and particularly the Ministry of Labour, is well aware of the concerns expressed by many members of the House and by some constituents about our recent actions under the Industrial Safety Act pertaining to arena safety. As members must know, our concerns about safety are not theoretical; two collapses in 1959—the arena in Listowel and a curling rink near Ottawa—caused the deaths of 11 people, seven of them young children.

It may be useful to review the province's involvement in this area. I realize that local municipalities have had, and continue to have, substantial responsibility for building safety. However, for some years, the province has had a share of that responsibility.

In 1971, with the passage of the Industrial Safety Act, the province acquired additional responsibility, not only for the safety of employees working within buildings but, par-

ticularly in the case of arenas, for the safety of the public who use the buildings. Since 1971, officials of my ministry have expressed their repeated and continuing concerns to local municipalities about the safety of their arenas, urging them to obtain professional engineering assistance in making inspections and recommendations.

Despite these efforts to obtain compliance, the responses were anything but complete, nor were they very reassuring. Accordingly, last December, in accordance with the Provincial-Municipal Liaison Committee's recommendation, I authorized my officials to direct professional engineering appraisals to be made of some 350 arenas. Roughly 200 arenas have been inspected since that date. Reports are still being received and, as I've already reported to this House, in those where reports are in and hazards have been shown to exist remedial directions have been issued. It is hoped that the inspections will have been completed and all appropriate directions issued by the end of this month or early in July.

I am well aware, Mr. Speaker, of the potential effect upon local community life in those cases where arenas have been ordered demolished or closed pending repairs. In some cases, the only solution seems to be to remove the roof structure and, perhaps, use the arena as an open air facility until the new roof can be constructed. I am advised that this is already being considered by several municipalities.

**Mr. Lewis:** Except in northern Ontario.

**Hon. B. Stephenson:** Other arenas have been found to be substandard but still in such a condition that they may be safely used as they are, or with relatively inexpensive repairs. In many cases, repairs can be carried out during the summer months, allowing the arenas to be reopened in the fall.

I wish to emphasize the nature of my ministry's responsibility in this area under the Industrial Safety Act. First, where an arena is suspect, the minister may require the owner to have it appraised by a professional engineer. Where, as a result of the engineer's report, it appears that the structure is not in compliance with the Act, and that it constitutes a danger or hazard to an employee or a user, the ministry is obliged to issue directions requiring the owner to remove the hazard. However, it should be understood that the ultimate responsibility for remedial action rests with the owner.

It may be useful to note, Mr. Speaker, that the Association of Professional Engineers



of Ontario, in the report of a committee on arena structures in 1971, set out the following guidelines for their members engaged in the investigation of arena structures; and I quote from the report.

It is recognized that many existing arenas do not conform to the current standards of the National Building Code. Some of the arenas were properly designed and constructed to the appropriate standards at the time of construction, but these standards have since become obsolete. Other arenas were inadequately designed or improperly constructed and did not meet the standards appropriate to the time of construction. Still others have deteriorated with use and with the passage of time.

The criterion of acceptability will be, desirably, conformance of the arena structure with the standards of the current issue of the National Building Code. When, however, a professional engineer in his own judgement accepts a condition somewhat lower than National Building Code standards, but without restrictions or limitations as to use, he should specify future inspection procedures or routines, and the required frequency of such inspections.

Thus, the professional engineers association's report recognizes that there may be instances where an arena can be operated, even though it may be substandard in the strictest sense, if, and only if, appropriate inspection procedures or routines are specified by the inspecting engineer.

Now that I am more fully aware of the magnitude of the problem—and I must frankly confess that none of us realized last December how many of our arenas would be found to be substandard—I would urge municipal officials and consulting engineers to consult with the professional engineers in my ministry to attempt to arrive at acceptable solutions—solutions which will ensure that safety of those who use the arenas while interfering as little as possible with the important role which they play in community life.

**Mr. Breithaupt:** There goes Wintario.

**Hon. B. Stephenson:** In making this suggestion, I wish to make it clear that I have no disagreement whatever with the inspection procedures which have been carried out, nor with the directions which have been issued by my officials. However, it may be that some interim accommodations are possible without in any way endangering public safety.

Let me give an example: It may be found that under certain conditions of snow and wind load, an arena roof structure will be stressed somewhat beyond standard limits. Nonetheless, through a combination of regular monitoring by the consulting engineer and continuous control and surveillance by the authorities in charge of the arena, the building may still be used without risk of collapse and, therefore without risk of danger to the users. In such a case, the owner, in order to be permitted to continue to operate the arena would be required to have an acceptable design prepared and to have commenced work to permanently rectify the hazard, and to be subject to monitoring inspection procedures and routines as prescribed by a professional engineer.

I am sure that all members of this House will agree that we cannot afford to ignore contraventions of the Act and to run the risk of tragic accidents. At the same time, the inhabitants of particular communities should not be denied a place to skate, to curl or to play hockey next winter if alternative and safe arrangements can be made. I must emphasise that our paramount concern, both morally and legally, under the Industrial Safety Act, must be the safety of the users of the arenas.

Accordingly, I cannot bargain, nor can I barter, on a matter of safety. The proposal which I have suggested for permitting some arenas to remain open, subject to close monitoring and the institution of an acceptable renovation programme, meets the two concerns which I have mentioned. To that end, I have instructed my officials to work very closely with the affected municipalities and their consulting engineers to find solutions acceptable to this government and appropriate to the particular problems of the local municipalities.

#### ASSISTANCE FOR ARENA REPAIRS

**Hon. Mr. Welch:** Mr. Speaker, as my colleague, the Minister of Labour, has just indicated, the government is ready to help the municipalities repair their arenas right away so that they can be safely used.

Fortunately, the Ministry of Culture and Recreation has both the Community Recreation Centres Act and our Share Wintario programme in place so that we are able immediately to offer assistance amounting to at least half the cost of these necessary repairs in most areas.

Although most municipal councils are familiar with these two programmes—indeed

most arenas and community centres in the province were originally built with provincial assistance—we will be reminding them this week of the resources available from us and the special arrangements we have made to expedite applications for assistance.

As members know, under the amendments which this House made to the Community Recreation Centres Act a year ago, we are able to provide an outright grant covering 25 per cent of the cost of such repairs up to a maximum of \$75,000 for each facility affected. Under the Wintario programme, we can provide grants on a matching basis, to cover one-third of the balance in communities in central and western Ontario and one-half of the balance in eastern and northern Ontario.

We recognize, of course, that many of these arenas are the cornerstone of local recreation programmes and we are anxious to have them put back into use as quickly as possible. We have already assigned professional staff in our capital support unit to deal specifically with applications and requests for assistance from communities affected by these orders and I can assure them that there will be no delays at our end.

**Mr. Speaker:** Oral questions.

### CLOSURE OF ARENAS

**Mr. Lewis:** May I begin with a question of the Minister of Labour. In the process of inspecting these various facilities, finding them under standard and requiring alterations or closure, has the minister made any overall estimate as to the cost factors involved; what we are talking about in terms of dollars?

**Hon. B. Stephenson:** Mr. Speaker, the inspection process is not completed as yet, and as a matter of fact it is probably a little more than half way completed. It would be, I think, inappropriate to make an estimate of the overall cost at this point.

I think we could probably say that if every single arena which is substandard were to be replaced totally it could cost us somewhere in the region of \$60 million. I think that is probably not the case and it will be substantially less than that amount of money. I would think that by early July we will have a fairly accurate prediction of the overall cost.

**Mr. Gaunt:** Has the minister given any thought to removing the legal liability from the engineer when the engineer makes an inspection of the arena?

**Hon. B. Stephenson:** Mr. Speaker, he doesn't have a legal liability when he makes the inspection of the arena. He has a responsibility to make a report, and it is upon that report that the decision is made within the Ministry of Labour.

**Mr. Gaunt:** With respect, that doesn't cover the problem. When the engineer signs his name to that report is he not legally liable? The answer to that is yes. What is the minister doing to resolve that problem—because that is really the crunch problem in this whole matter?

[2:15]

**Hon. B. Stephenson:** Might I ask the question legally liable for what? He is making a report and that's it.

**Mr. Gaunt:** Supplementary: would the minister not agree that the only recourse the engineer has in making the report is to make the report against the requirements of the National Building Code? That's what they do under the circumstances. I don't blame them.

**Hon. Mr. Handleman:** What else could they do?

**Hon. B. Stephenson:** Mr. Speaker, it seems to me we are asking the professional engineer to use his expertise and his professional capability to make a judgement about a structure—

**Mrs. Campbell:** No.

**Hon. B. Stephenson:** —as related to the standards established by the National Building Code and the standards for that specific arena in terms of the roof structure as far as arenas are concerned. He doesn't have any legal liability.

**Mr. Lewis:** I have another question of the Minister of Labour, if I may.

**Mr. Yakabuski:** Mr. Speaker, I would like to interrupt that question.

**Mr. Lewis:** I'm sorry, I seem to be having difficulties.

**Mr. Speaker:** The member for Renfrew South has a supplementary.

**Mr. Yakabuski:** I have a supplementary question of the Minister of Labour. In view of the statement the minister made in the House yesterday that the Association of Professional Engineers of Ontario had done the work insofar as the local levels were concerned, we have a stinking suspicion—



Interjections.

**Mr. Speaker:** Question?

**Mr. Yakabuski:** —that there is a plot with the professional engineers to do what they did in the years gone by insofar as the—

**Mr. Speaker:** Can we have a question, please, based on the original question?

Interjections.

**Mr. Lewis:** I have a sneaking suspicion that the member is in trouble in Renfrew South.

**Mr. Yakabuski:** No way.

Interjections.

**Mr. Speaker:** Will the hon. member ask his question, please?

**Mr. Yakabuski:** The little people will decide that on election day. The little people, not the people in the—

**Mr. Warner:** Let's hear the question.

**Mr. Cassidy:** He has the elves all locked up.

**Mr. Breithaupt:** Those are ones only two feet high.

**Mr. Speaker:** Will the hon. member ask his question? Order, please.

**Mr. Yakabuski:** Mr. Speaker, my question of the Minister of Labour is this: We just have to be assured that there is no plot whatsoever within the association of engineers that they want to extract extra business from the government of the Province of Ontario.

**Mr. Deans:** That's a statement; that is not a question.

**Mr. Nixon:** Can the minister assure us there is no plot?

**Mr. Speaker:** Order, please. Will the hon. member ask his question?

**Mr. Yakabuski:** I have.

**Mr. Speaker:** All right.

**Hon. B. Stephenson:** From my very long relationship with a number of professional bodies, the oldest as well as some of the newer ones—

**Mr. Breithaupt:** The anti-professional member for Renfrew South.

**Hon. B. Stephenson:** —I am convinced there is very seldom, and certainly in this

instance no evidence whatever of any kind of a plot to undermine or to accost either the government or the people of the Province of Ontario.

**Mr. Cunningham:** On a point of order.

**Mr. Speaker:** No, we've spent enough time on this question. Order, please. Does the Leader of the Opposition have a further question?

**Mr. Cunningham:** On a point of order.

**Mr. Speaker:** Oh, a point of order. I'm sorry, I couldn't hear for the noise.

**Mr. Cunningham:** I was just wondering if there's a chance we can get two or three minutes back on question period to cover this inanity?

**Mr. Speaker:** That's rather a smart remark. The hon. Leader of the Opposition.

#### CLAIMS FOR LUNG CANCER

**Mr. Lewis:** I have a question of the Minister of Labour. How does the minister reconcile the very serious conflict between what the chairman of the Workmen's Compensation Board has put in writing to a number of people around the province, including my colleague from Sudbury East (Mr. Martel), in the latter part of 1975, saying that the working level months standards at Elliot Lake were not delineated for the determination of claims for lung cancer, and then finding claim after claim emerging from the board with the statement: "To receive entitlement under the Ontario Workmen's Compensation Act for lung cancer it must be established that the exposure is in excess of 120 working level months"? That is in direct contradiction to the guarantee given by the chairman.

**Hon. B. Stephenson:** Mr. Speaker, I have not seen the information contained in any of the three claims mentioned. It's not claim after claim after claim but there are three specifically at the moment.

**Mr. Lewis:** There are several of them.

**Hon. B. Stephenson:** When I have examined those documents I will be very pleased to discuss this with the chairman of the Workmen's Compensation Board. I have no idea why there should be such an apparent contradiction. Whether there is a real contradiction or not I do not know at the moment but I shall explore this and discover it.



**Mr. Lewis:** When the minister examines the three claims and the others which are presently in contention before the board, will she endeavour to explain why the Workmen's Compensation Board is accepting a number of working level months solely on the basis of company information and refusing, incredibly enough, to recognize that the company figures never take into account the enormous amount of overtime worked in the late 1950s and early 1960s which put most of those men at risk 10 years ago, well before they contracted the disease? Can she explain what now appears to be a very serious injustice visited on the families of the deceased workers?

**Hon. B. Stephenson:** Mr. Speaker, in the newspaper report, I gather, it was stated that it was not possible to establish the overtime claims of certain gentlemen who had been working within those mining situations. It would seem to me entirely possible that somewhere in the financial records or the payment records of the company there must be some information which would be relevant to this specific subject. I have asked very definitely this morning to see if we can't find that kind of source of information in order to—

**Mr. Breithaupt:** Tax records are also a possibility.

**Hon. B. Stephenson:** Tax records are also a possibility. I have no idea whether there is a statute of limitations regarding the time these must be retained but I would think it would be very well to verify the claims of the workmen that they had been working long hours of overtime in those years. If that can be verified, of course this must be taken into consideration in establishing their working level months.

**Mr. Yakabuski:** How long is it going to take you to learn? Never ask the minister a question.

**Mr. Lewis:** I have one other question. When the board chairman says to my colleague, Mr. Martel, on Sept. 5, 1975, "May I reassure you that the board's policy of giving the worker the benefit of reasonable doubt will apply equally to such cases," doesn't the minister think that when men have died of lung cancer after many years in the mines of Elliot Lake the benefit of reasonable doubt should provide for compensation to the families?

Interjections.

**Hon. B. Stephenson:** Mr. Speaker, I think even the hon. Leader of the Opposition would be hard-pressed to find very many instances in which the board, under the hon. Michael Starr, has not given the workmen the benefit of the doubt.

**Mr. Lewis:** It is not true.

Interjections.

**Hon. B. Stephenson:** He has worked very diligently in order to ensure that any benefit of the doubt accrues to the workman. I think it is certainly not his usual characteristic fashion—

**Mr. Philip:** You are not doing any constituency work.

**Hon. B. Stephenson:** —to deny the benefit of any doubt to the workman. I think it's a matter of finding the actual and factual information regarding these instances—

**Mr. Martel:** We have been after that for years.

**Hon. B. Stephenson:** —in order to ensure that the board has a rational and logical basis upon which to establish the claim.

#### ELLIOT LAKE RETRAINING PROGRAMME

**Mr. Lewis:** I have another question on a related matter. Is the minister not concerned about and has she asked for information on the apparent virtual collapse of the retraining and relocation programme at Elliot Lake, which many of the workers appear reluctant to engage in because of the very large wage differential? Might that wage differential be overcome by government initiative?

**Hon. B. Stephenson:** Mr. Speaker, I am very glad the hon. Leader of the Opposition has asked that question. I would refer him to the Letters to the Editor—I would hope in tomorrow's or Thursday's Globe and Mail—in which I think the initial paragraph from the board representative will begin: "I am appalled at the story in your June 21 edition. Your story was laden with false or outdated statistics, innuendo and misquotations."

**Mr. Breithaupt:** They are not bound to print it.

**Hon. B. Stephenson:** I hope they will. The situation regarding the current retraining programme at Elliot Lake is as follows: Thirty-nine of the miners have chosen to remain

in exposure; 14 are employed and receiving wage differentials; four are undergoing training at Sault College; 12 are undergoing training on the job; three have other employment with the original employer at no wage loss; one has been relocated in the Province of Quebec at the board's expense; and two have changed their minds and returned to underground work.

There are a number of miners who have not made the decision as yet about whether they will undergo the retraining programme, but the report as printed in the *Globe and Mail* was certainly not factual in terms of the information that is available to us.

**Mr. Martel:** You are talking 50 per cent.

**Mr. Lewis:** With respect, knowing that I'll read the minister's attack on the *Globe* article in a day or two, if 180 miners qualified, 39 have chosen to remain underground or in exposure, a small number are being retrained elsewhere and all the others have not yet decided to take part in the programme because of the wage differential, how can she call it a success? How does that invalidate these figures?

**Hon. B. Stephenson:** That isn't what I said. I didn't say all the rest; I said some have not as yet made the decision.

**Mr. Lewis:** The difference up to 180.

**Hon. B. Stephenson:** Twenty-five are not interested at all in retraining or moving at the moment; 39, not 56, are still working in exposed conditions and they are being withdrawn as rapidly as possible. The implementation of the programme has gone very well. It is supported wholeheartedly by the United Steelworkers union locals at both mines; both of those gentlemen categorically deny making the statements which are attributed to them in the *Globe and Mail* and they further state that the board's programme has their full support.

**Mr. Martel:** Supplementary: Is it not a fact that if every underground worker who has received overexposure over the years were to come out, there wouldn't be enough employees left to operate the mines at Denison?

**Hon. B. Stephenson:** No, I cannot say that is a fact, because I have not seen that information.

**Mr. Martel:** The minister should check her figures again for a change.

## FREEDOM OF INFORMATION LEGISLATION

**Mr. Lewis:** A question of the Premier: Given the support in this Legislature for the freedom of information bill put by my colleague from York South (Mr. MacDonald) for two years running now, can the Premier indicate whether it is his intention to introduce legislation to that end?

**Hon. Mr. Davis:** Mr. Speaker, I can't say to the Leader of the Opposition it is our intention to introduce legislation. At a very important gathering of one of the significant political parties in this province a few weeks ago this whole question was discussed at some length—

**Mr. Angus:** The NDP convention.

**Hon. Mr. Davis:** I was being very charitable today and I was saying one of the significant political parties.

This matter, of course, is being considered by the government. There were certain recommendations, some of which I believe have been implemented as a result of the COGP. I cannot undertake to the Leader of the Opposition that there will necessarily be a bill, but this matter is being assessed by the government at this time.

## HOSPITAL CLOSINGS APPEAL

**Mr. Nixon:** Mr. Speaker, I'd like to put a question to the Premier. In the event that the government loses its appeal to the Supreme Court of Ontario having to do with the government's powers to close hospitals, can the Premier assure the House that he will not take the appeal further but accept that judgement and govern the policy of his administration accordingly?

**Hon. Mr. Davis:** Mr. Speaker, on this occasion I cannot undertake that the appeal will not be taken further. I think it would depend on the decision and the reasons for the decision; it may be that there will be certain matters of principle on which, in the interests of the Legislature, it might be wise to get final decisions. I can't give that sort of undertaking until we see what the decision may be.

What the minister or the acting minister said, and I reiterated it on two or three occasions, was that if the decision of the court is delayed, and this creates a problem in terms of the functioning of the five institutions, I believe it is, as far as the timetable was concerned this would be taken into ac-



count and there certainly would be sufficient consultation and lead-time as a result of any decision that may be made.

I really can't say to the hon. member, or prejudice what might be said in a particular decision, as to what our course of action might be afterwards. I would have to await (a) the decision and (b) the reasons that are in it.

[2:30]

**Mr. Nixon:** Supplementary: Would the Premier assure us that the negotiations between the Ministry of Health and the hospitals concerned are not simply going to be left on the shelf until the final disposition in a court case which may be decided by the Ontario Supreme Court or, as the Premier indicates, it may not be, and may be appealed to the Supreme Court of Canada, in which case the whole thing is going to be dislocating to the communities concerned?

**Hon. Mr. Davis:** Mr. Speaker, I certainly am quite prepared to say to the hon. member that the government, the ministry in particular, will maintain its communication with those hospitals that are potentially affected by this litigation, and in as constructive a way as possible. It was our intent to do this, and it will continue to be that way.

**Mr. Bullbrook:** With a supplementary, Mr. Speaker, may I ask the Premier, through you, living as we do in a parliamentary democracy, why does this government think it's more important that there be judicial review than legislative approval?

**Hon. Mr. Davis:** Mr. Speaker, with great respect to the hon. member for Sarnia, I really don't think I said that.

**Mr. Bullbrook:** By way of one final supplementary, may I put the question to the Premier directly? On this matter of extreme importance with respect to policy and practicality, does the Premier think it's more important that his government has judicial review, or some debate and legislative approval in this chamber?

**Hon. Mr. Davis:** Mr. Speaker, I think it's important that perhaps we have both.

**Mr. Lewis:** By way of supplementary, does the Premier share the view the Minister of Health conveyed to us in estimates, I guess this morning, that were the government to lose at the Court of Appeal level, the more appropriate mechanism at that point would be to bring legislation before the House,

which the minister said would be his personal preference.

**Hon. Mr. Davis:** Mr. Speaker, without commenting on my colleague's particular point of view, I guess I do go back to some limited training I had in a particular profession and make the observation I did to the hon. member previously that I think a lot would depend on what were the reasons for judgement contained therein before I would make any judgement.

**Mr. Yakabuski:** Mr. Speaker.

**Mr. Speaker:** Supplementary; the member for Renfrew South.

**Mr. Lewis:** Do you think it is a plot?

**Mr. Yakabuski:** Supplementary to the Premier.

**An hon. member:** Thirty seconds by the clock.

**Mr. Yakabuski:** In view of the fact, Mr. Speaker, that this morning I was talking to someone who recently visited Czechoslovakia—

**Mr. Cassidy:** Be careful. Watch out for the Polish vote.

**Mr. Yakabuski:** —I was wondering, do we want to bring this province back one generation like they have done in that jurisdiction?

Interjections.

**Mr. Nixon:** That is a supplementary?

**Mr. Peterson:** Answer the question, it is a good question.

**Mr. Speaker:** Order; order please.

**Hon. Mr. Davis:** Mr. Speaker, I find that because of some of the noise here, and my colleague being without question one of the more articulate members of this Legislature, I wonder if I could ask him to repeat the question so I can totally understand it.

**Mr. Speaker:** In the form of a question, please.

**Mr. Yakabuski:** Well, Mr. Speaker—

**Mr. Lewis:** This is what you call a blue smear!

**Mr. Yakabuski:** Mr. Speaker, I would be pleased to repeat the question, because this morning I was talking to someone—

**Mr. R. S. Smith:** What time was that this morning; about 5?



Mr. Nixon: Was it before lunch?

Mr. Yakabuski: —who recently visited Czechoslovakia and some of the central European countries, and we were talking about conditions in the western world and there—

Mr. Lewis: About socialism?

Mr. Yakabuski: —and in Britain, too, by the way.

Interjections.

Mr. Speaker: Order, please.

Mr. Yakabuski: I said, "Where do we stand?" And he said, "Do we want to slip back to a generation behind?"

Mr. Conway: Only in Renfrew South.

Mr. Yakabuski: And I ask the Premier today: Does this province want to slip back to where Britain, Czechoslovakia and the other countries are today?

An hon. member: No way.

Mr. Singer: Answer that.

Mr. Peterson: Most intelligent question you have produced.

Hon. Mr. Davis: Mr. Speaker, that was a very provocative sort of question. But I say this to my very distinguished colleague that I am delighted to have information about other jurisdictions in the world, which I sometimes use in this House myself. I'm interested in one thing only, and that is the maintenance of the very excellent quality of life we have in this province, which, given the support of all members of this House toward this excellent government, I'm sure we can maintain for many years to come.

### ALCOHOL CONSUMPTION

Mr. Nixon: I'd like to put a question to the hon. Minister of Consumer and Commercial Relations—

Interjections.

Mr. Speaker: Order, please.

Mr. Nixon: —on a very germane subject.

Mr. Lewis: I have a supplementary, but I'm not going to ask it.

Mr. Nixon: Is he concerned and is he prepared to formulate some statement of government policy in response to the papers and factual material presented by the delegates

to the convention on alcohol and drug addiction convened by our own provincial foundation, particularly the statement made by Dr. Wolf Schmidt—Dr. Wolfgang Schmidt—that the consumption of alcohol in this province might very well double by 1985?

In other words, what is he doing about, let us say, the age problem as far as alcoholic consumption is concerned and, more particularly, a ban on alcohol advertising in co-operation with the government of Canada and the other provinces?

Mr. Peterson: Start with your own benches.

Hon. Mr. Handleman: Mr. Speaker, I don't know how germane the question was in view of the fact the hon. member gave some free advertising to a brand of vodka—a slip of the tongue, of course; I quite recognize that was a slip of the tongue.

The government is reviewing the matter and as the hon. member knows there was a report presented to us dealing particularly with underage and youthful drinking. The Provincial Secretary for Social Development (Mrs. Birch) is co-ordinating the total government thrust in this area—and I am quite sure we will be able to come up with policies which will be announced at the appropriate time.

Mr. Nixon: Have I asked the wrong minister? As a supplementary, I would ask the minister why he is not giving some further consideration to removing some of the problems his own Liquor Licence Board is experiencing, particularly in awarding special occasion permits which, in the view of many objective observers—

Mr. Yakabuski: Careful; you may want one some Saturday and you are not going to get it.

Mr. Nixon: —leading to an increase in consumption rather than any control of consumption. Would he give that some consideration, particularly in those areas which have not accepted the right under local option legislation to have legal outlets? Will he accept the recommendation that they be permitted a vote in view of the fact that the regulations under the Liquor Licence Board have been changed rather dramatically in their enforcement in recent months?

Hon. Mr. Handleman: Mr. Speaker, I don't know how germane that is to the convention which is taking place at the present time. If anything, I think the question would be counterproductive to the aims of that convention.

**Mrs. Campbell:** The word "germane"—

**Hon. Mr. Handleman:** On the other hand, there has been no recommendation made to me, other than that made by the hon. member—

**Mr. Nixon:** Where could you get a better one than that?

**Hon. Mr. Handleman:** —to change the local option legislation and regulations. However, as he is well aware, we have them under review. It does require a change in the legislation and I would suggest that at 2:40 on, perhaps, the last day of this part of the session, it would be a little late to bring that in.

**Mr. Nixon:** A supplementary: Is the minister aware that the confusion associated with these regulations is, if anything, removing what residual controls there are in the communities in this particular area? It is germane and it is important. Is the minister not aware of the need for the changes in these regulations in so many of the communities across the province?

**Hon. Mr. Handleman:** Mr. Speaker, I am not aware of any confusion at all. When an area, by local option—

**Mr. Nixon:** You should speak to your officials downtown.

**Hon. Mr. Handleman:** —and through the exercise of its local autonomy has denied the right of the people in that area to buy liquor, by the drink, there is no confusion whatsoever. There cannot be any sale of—

**Mr. Nixon:** Instead, give it away to groups of 800.

**Hon. Mr. Handleman:** —alcoholic beverages in areas where the sale has not been approved by local option.

**Mr. Nixon:** It is a ridiculous law.

## MILK PRODUCTION

**Mr. Nixon:** I would like to put a question to the Minister of Agriculture and Food. What has he found out from his communications with the federal Minister of Agriculture yesterday about the situation having to do with the milk industry in this province? Could he comment further on the fact that he has withheld the payment of the penalty deductions instead of sending them to the federal authorities? Is he contemplating using those fairly large and substantial payments as some

sort of interim support measure to assist those farmers who may very well be forced out of business because of the regulations?

**Hon. W. Newman:** Mr. Speaker, with your indulgence, I think this is a very serious matter and I think it might take me longer than usual to answer this question because I think this House has a right to know what's happening.

I wrote to Mr. Whelan on March 4, and first forewarned him, before he announced his dairy policy for this year, of the problems he could be facing. He made a news release on April 13 and he raised the price of butter; he raised the price of powdered milk. He also said there would be an \$8.60 deduction automatically on overproduction of milk. He also indicated that the quota allocation should be done on a percentage of the monthly total quota per producer in the Province of Ontario. He said it should be done on a monthly basis but the \$8.60 was automatic; the \$1.35 deduction was automatic.

At that point in time I made my own statements in this House regarding IMPIP. The Milk Marketing Board received a letter and there was a lot of correspondence from Ellard Powers, chairman of the Canadian Dairy Commission, who said, in effect, you must do it on a monthly basis, and this is where the problem lies today. He said, "You must do it on a percentage of your quota on a monthly basis and you'll deduct \$8.60 per hundredweight."

After meeting with him in our talks about IMPIP, I sent Mr. Whelan a Telex pointing out the problem he was going to be faced with, saying the 18 per cent cutback was too much and it should be six per cent. I suggested that he take the powdered milk and do something with it and give it back to the farmers. That was in May I did that.

I met with the Ontario Milk Marketing Board and the Milk Commission last Friday. I've confirmed by writing to the chairman of the Milk Marketing Board that they put a hold on the \$8.60 they have deducted at this point in time until the other provinces have remitted their over-quota levies to Ottawa, and that will be one of the points we'll be discussing in Ottawa this Friday.

I talked to Mr. Whelan last Saturday. I asked for a meeting. I talked to him on Monday by telephone. We've been back and forth. We now have a firm meeting, providing we can get there, Friday morning at 9 a.m. with the Minister of Agriculture for the Province of Quebec, because about 80



per cent of Canada's total industrial milk production comes from those two provinces.

I will be trying to persuade Mr. Whelan to reduce the \$8.60 per hundredweight levy at this point in time and to reduce the monthly percentage payment which would mean an immediate payback of some of these funds that are held to the dairy farmers of the Province of Ontario, and I think it is very important that we do that.

I will be meeting later this week also with the Bankers' Association to discuss the dairy situation in this province to persuade them the dairy industry is a healthy industry and what we are experiencing is a temporary situation.

I've also pointed out that we are over-reacting to this dairy situation. I pointed out several times to the federal people in Ottawa that they have overreacted and we're going to be in a difficult situation.

In the Province of Ontario we have made the necessary cutback. Our production is down in May of 1976 as compared to May of 1975 and we anticipate, by the figures we're looking at now, it will be down in June of 1976 as compared to 1975. So we have made the effort in the Province of Ontario, and this money should be released, as far as I'm concerned, as quickly as possible.

I did call Mr. Whelan again and we've got this meeting confirmed for Friday morning to see if we cannot persuade the federal government and the Canadian Dairy Commission, which have told us what we have to do, that we're going on the wrong route and we've got to ease off at this point in time, because any number of factors could affect the supply of milk in this province.

**Mr. Nixon:** Supplementary, Mr. Speaker—

**Mr. Speaker:** That was a very general question, I must point out. It had about 14 parts to it and the answer was necessarily long. We've spent 30 minutes now on the two leadoff questioners. I just point that out.

**Mr. R. S. Smith:** Yes, 20 over there and 10 over here.

**Mr. Speaker:** That's all right. There were about 12 minutes on this side and the rest has been partly due to supplementaries, but—

**Mrs. Campbell:** Mr. Yakabuski is out of order.

**Mr. Speaker:** Order please. I point out that when the same question is asked four times in the one question that takes up unnecessary

time, and that has been the experience this afternoon. Now, if we have a supplementary, I'll allow the member for Brant-Oxford-Norfolk—

**Mr. Nixon:** Mr. Speaker, I certainly do not want to take longer than you would permit. What the devil are you talking about, the same question being asked four times in one question?

**Mr. Speaker:** I think if the hon. member would read Hansard, he'll know what I am saying. Is there a supplementary?

**Mr. Gaunt:** Mr. Speaker, supplementary to the minister: In view of the fact that we have our overproduction in this province under control, would the minister be prepared to use that as a lever to try and get the federal dairy commission and the federal Minister of Agriculture to switch the quota allocation from a monthly basis to a yearly basis?

**Hon. W. Newman:** Hear, hear. That's why I am going to Ottawa to try and do!

**Mr. Speaker:** Order please. When the same question is asked over again, it also wastes time. The hon. member for Stormont-Dundas-Glengarry.

**Mr. Nixon:** He doesn't even understand the question.

**Mr. Villeneuve:** Mr. Speaker, this question is along the same line. Representing one-eighth of the industrial shippers of Ontario in the three counties, this is a very very serious problem. I have in my hand here a duplicate—

**Mrs. Campbell:** That's the same question.

**Mr. Speaker:** Order please.

**Mr. Breithaupt:** Give it to him.

**Mr. Villeneuve:** I want the minister to take this to Ottawa with him and ask how it works and get answers, because I can't answer it and I find nobody who can. This shows that a man has \$2,800 for the production of milk in the month of May and he ends up, when the punishment and penalties and transportation is taken off, minus \$216.89 that he owes the milk marketing board. I would like to get an answer to that. I have only got grade 11 education and I haven't found anybody to give me that information.

[2:45]

Interjections.

**Hon. W. Newman:** This is exactly the kind of problem we were talking about, which im-



posed on the individual producer how much he shipped over quota and the penalties that went with it at \$8.60 a hundredweight and also the other shipping and carrying charges, the storage charges of \$1.35 a hundredweight. All I can assume in that particular question is there was a great deal more milk shipped than there was within his quota allocation. Remember, this is a two-month deduction for April and May, not just for one month. That is why I want to get to Ottawa to talk to Mr. Whelan to tell him his policy was too strict, too soon and too fast and we have got to get some money back into the producers' hands so they can pay their bills.

**Mr. Speaker:** We will hear the hon. member for Huron-Bruce.

**Mr. Gaunt:** Can the minister assure the dairy farmers in the province that the deduction of \$8.60, which was not only taken on overproduction quota but was also taken on part of the in-quota allocation, will be returned to the producers in the month of July, at least that portion which was in quota?

**Hon. W. Newman:** When the member is talking about in-quotas, he is talking about the in-quota within the sleeve where it was deducted, I assume, from the five million hundredweight which was in-sleeve when they took the deduction from it. We will also be discussing that in-sleeve \$8.60 deduction at the same time.

#### VINYL CHLORIDE LEVELS

**Mr. Burr:** I have a question of the Minister of Labour related to vinyl chloride and occupational health. Is the minister aware of an Ohio department of health report that an unusually high frequency of birth defects has occurred in children born to wives of vinyl chloride workers in an Ohio community?

**Mr. Good:** Ready for the late show tonight?

**Hon. B. Stephenson:** Mr. Speaker, I have read only a brief abstract of that article which has been published in one of the occupational health journals and I am intending to read the entire article. I do not know the contents specifically and completely at this point.

**Mr. Burr:** A supplementary question: Has her ministry or the Ministry of Health the procedures to detect a similar pattern, if there is one, occurring in Ontario? Have they the procedures, either a computer or any

other method, for recognizing a pattern developing in Ontario, if there is one?

**Hon. B. Stephenson:** There is a method of investigating congenital birth defects or neonatal defects which can be employed in order to investigate such potential problems.

#### AIR TRAFFIC CONTROL DISPUTE

**Mr. Sargent:** I have a question of the Minister of Transportation and Communications. In view of the fact that this is the third day of the air travel shutdown and that this government remains silent, why doesn't the minister and the Premier get together to prevail upon the Prime Minister of Canada to quit politicking and, if they don't stop politicking will the Premier arrange to have Italian communications in air travel in the Province of Ontario?

**Hon. Mr. Davis:** My driver will agree with the member.

**Hon. Mr. Snow:** I can certainly understand the hon. member's concern regarding the situation in the aviation industry in the Province of Ontario and in Canada today. A great many citizens are very concerned over this matter and about the whole effect this situation is having on aviation safety. I have had an awful lot of people contact me. All I can say, as I said last Friday, is that this whole issue is a matter of safety for people using the aviation services within Canada. It should not be a bilingual matter and it should not be a political matter. The pilots and the controllers have a very genuine concern, I think, from at least one figure I have seen published in the press that this proposed federal programme is costing \$1 billion when money is needed very badly for other matters that could improve aviation safety, such as additional radar facilities and backup facilities that would help the controllers and the pilots make air traffic control more efficient and safer within Canada.

I am very disappointed that this matter is going on for the time that it is. I do not support any illegal action on behalf of either party involved—the air traffic controllers or the pilots—as far as the legality of the thing is concerned. I do certainly support the controllers and the pilots in the issue that they are taking with this matter.

**Mr. Cassidy:** Supplementary?

**Mr. Sargent:** Supplementary, Mr. Speaker?

**Mr. Speaker:** Order, please. Supplementary. The member for Grey-Bruce first of all.

**Mr. Sargent:** Very briefly, Mr. Minister, in view of the fact it is costing many millions of dollars a day for eight million people in this province, someone should speak up for us.

**Mr. Speaker:** Order, please. Is there a question?

**Mr. Sargent:** —and now you and the Premier should tell—

**Mr. Speaker:** Order, please. The hon. member for Ottawa Centre, I think, wishes a supplementary. This will be the final supplementary.

**Mr. Cassidy:** Mr. Speaker, supplementary to the minister: Since his answer displayed concerns other than the question of safety, can he say whether that attitude reflects the fact that Ontario does not yet have bilingual drivers' licences from this ministry?

**Hon. Mr. Snow:** Mr. Speaker, again the hon. member is trying to—

**Mr. Speaker:** The minister with a very, very short answer.

**Hon. Mr. Snow:** I think that remark deserves an answer because this hon. member is again trying to muddy the issue like his friends in Ottawa are doing and mixing a bilingual matter with a matter that should be looked at totally as a safety matter—no other way.

**Mr. Speaker:** Order, please. The hon. Minister of Education has the answer to a question that was asked previously.

#### AIB RULING ON TEACHERS' CONTRACT

**Hon. Mr. Wells:** Mr. Speaker, last week the hon. member for Port Arthur (Mr. Foulds) asked if I could explain why it took over two months for the Provincial Schools Authority to make its submission to the AIB after the agreement had been arrived at and could I explain why the AIB had to phone the employees to find out what the employer's submission might be.

I would like to tell the House that the agreement between the Provincial Schools Authority and our teachers was concluded on April 14 and, as the procedure laid down by the AIB, it is the responsibility of the employer to fill out certain forms and submit these to the Anti-Inflation Board.

These forms were filled out by the Provincial Schools Authority and submitted and mailed to Ottawa on April 28 along with a copy of the agreement between the Provin-

cial Schools Authority and its teachers. The forms were sent directly to the associate executive director of the compensation branch of the AIB with a special request that this agreement be reviewed expeditiously. There was also a direct phone call to the AIB requesting an urgent response to the submission.

The forms that were submitted to the AIB were shared with the teachers to enable them to be prepare an accurate proposal of their own to the Anti-Inflation Board. The teachers' case, I understand, was mailed to Ottawa some days after the Provincial Schools Authority mailed the forms on April 28.

There were some statistical calculations that were not right in the forms submitted by the Provincial Schools Authority and this resulted in a telephone call on June 10 to correct those miscalculations. During that telephone call, the officials of the Anti-Inflation Board informed our Provincial Schools Authority that there was a great backlog of cases and they couldn't expect a decision until the week of June 14. Yesterday afternoon the Provincial Schools Authority received a call from the Anti-Inflation Board that they had made a decision and that a letter with the details would follow. The decision was approximately a three per cent rollback in the terms of the agreement.

#### TELEPHONE SOLICITATIONS

**Mr. Mackenzie:** To the Minister of Consumer and Commercial Relations: Is the minister aware of the sales pitch being made to Hamilton area residents via a telephone recording? And would he comment on the feeling of many of these people that this is an invasion of their privacy and ties up their telephone to their possible detriment? And would he also comment on the reaction of Bell Canada, which when contacted, was simply to say: "Get hold of your elected member"?

**Hon. Mr. Handleman:** Mr. Speaker, the answer is no; I'm not aware of it. It's not been brought to my attention. I have no details of any legislations being violated, and I'd be pleased to look into it.

#### TAXI INSURANCE PREMIUMS

**Mr. Peterson:** Mr. Speaker, to the Minister of Consumer and Commercial Relations: Is the minister aware that the average taxi rates in London, Ont., in 1975, which averaged about \$650, PL and PD, with no



deductible, are now for this year about \$1,300 with \$500 deductible, which is an effective increase of 175 per cent? Is the minister aware? And, secondly, what is he going to do about it?

**Hon. Mr. Handleman:** Mr. Speaker, I'm aware of the fact that taxi insurance premiums—not taxi rates, as I understand it—have increased considerably over the past few years. This reflects the claim experience, the loss ratio incurred by insurance companies, and, of course, the lowering of the competitive level. There are fewer companies now offering this insurance. However, I'd be pleased to look into the situation in London to see whether or not anything can be done.

**Mr. Peterson:** Supplementary: Is the minister aware that already independents have been driven out of the business because of the exorbitant premiums; and there's expectation in July and August, when a lot of premiums are coming up for renewal, that a lot more will be driven out of the business? Is the minister aware of this, and could he take some action?

**Hon. Mr. Handleman:** Mr. Speaker, I don't think the situation in London is any different from any other city in Ontario. The rates the hon. member has mentioned seem to be the average rates which are being quoted to taxi drivers in this province. Some are higher and some are lower. And if there are any cases of unconscionable rates which are driving people out of business, then I can only take a look at the market situation and see what we can do in individual cases.

**Mr. Breithaupt:** Where there are independent taxi drivers who are unable to get insurance placed at any price, what is the minister prepared to do to ensure that they are able to remain insurable?

**Mr. Laughren:** What is free enterprise coming to?

**Hon. Mr. Handleman:** I'm not aware of any case of a person not being able to get insurance at any price. And if a case of that nature was brought to me I would assume that somebody's trying to pass the message on to that particular driver. But I'm not aware of anybody who can't obtain insurance in this province. If those cases are brought to our attention we spend a considerable amount of time finding markets for them.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

Mr. Morrow presented the second interim report of the select committee on the fourth and fifth reports on the Ontario Commission on the Legislature.

Hon. Mr. Welch moved adjournment of the debate.

Motion agreed to.

Hon. Mr. Wells presented the annual report of the board of governors of the Ontario Institute for Studies in Education.

Hon F. S. Miller presented the report on mercury poisoning in Iraq and Japan.

Hon. B. Stephenson presented the annual report of the Workmen's Compensation Board for the calendar year 1975.

Hon. W. Newman presented the annual report of the Ministry of Agriculture and Food.

[3:00]

Mr. Lawlor from the standing administration of justice committee, reported the following resolution:

Resolved: That supply in the following amount and to defray the expenses of the Office of the Ombudsman be granted to Her Majesty for the fiscal year ending March 31, 1977:

OFFICE OF THE OMBUDSMAN	
Office of the Ombudsman	
programme .....	\$2,300,000

Mr. Lawlor from the standing administration of justice committee reported the following resolution:

Resolved: That supply in the following amounts and to defray the expenses of the Ministry of the Solicitor General be granted to Her Majesty for the fiscal year ending March 31, 1977:

MINISTRY OF THE SOLICITOR GENERAL	
Ministry administration	
programme .....	\$ 2,334,000
(Public safety programme.....)	10,055,000
Supervision of police forces	
programme .....	6,146,000
Ontario Provincial Police	
(Management programme .....	3,297,000
Criminal and general law	
enforcement programme .....	57,236,000
Traffic law enforcement	
programme .....	49,795,000



**Mr. Speaker:** Any further reports?

Motions.

Hon. Mr. Welch moved that when the House adjourns today, it stands adjourned until a date to be named by the Lieutenant Governor by her proclamation.

**Mr. Lewis:** Have you any idea of when that will be?

**Mr. Speaker:** Order please.

Motion agreed to.

**Mr. Speaker:** Any further motions?

Hon. Mr. Welch moved that the select committees of the House be authorized to release their reports during the recess by filing the official copy with the Clerk of the House, which filing shall be reported to the House on the resumption of the session.

Motion agreed to.

**Mr. Speaker:** Any further motions?

Introduction of bills.

#### LEGISLATIVE PAGES

**Mr. Speaker:** Before the orders of the day, I would like to draw to the attention of the House that this is the last day in which this particular group of pages will be with us. As we're not sitting tomorrow, or next week presumably, as is customary we will read their names into the record and they will each receive a copy so that their names will be seen to go down in history.

The following young people have served us very well, I think, over the last seven weeks: Geoffrey Beatty, Hamilton; Cindy Bradt, Aylmer; Elizabeth Brown, Dundas; Jennifer Ciemiega, Mississauga; Scott Colbourne, Toronto; Jeffrey Earle, Gananoque; Pamela Goltz, Espanola; Mark Harper, Etobicoke; William Hunter, Kincardine; Alice Lambrinos, Weston; Janda McEachern, Whitby; Craig Maltby, Orillia; Torsten Manahan, Scarborough; Melissa Morris, Bracebridge; Gregory O'Donohue, Toronto; Sean Phair, Scarborough; Gail Reddick, Toronto; Fiona Scott, Cobourg; Jeffrey Steiner, Toronto; and Anna Wright, Toronto.

#### ANSWERS TO WRITTEN QUESTIONS

**Hon. Mr. Welch:** Mr. Speaker, before the orders of the day, I wish to table the answers to questions 56, 94, 95, 106, 114,

120 and 122 standing on the notice paper. (See Appendix A.)

**Mr. Speaker:** Orders of the day.

#### CONCURRENCE IN SUPPLY

Resolutions for supply for the following ministries were concurred in:

Ministry of the Solicitor General; Office of the Ombudsman.

**Clerk of the House:** The second order, House in committee of the whole.

**Mr. Deputy Chairman:** There are several matters to be disposed of concerning various bills—stacked votes that have taken place in the committee in the last few hours of debate.

Call in the members.

#### ENVIRONMENTAL PROTECTION AMENDMENT ACT

The committee divided on Mr. Renwick's amendments to section 1 of Bill 81, which were approved on the following vote:

**The Clerk Assistant:** Mr. Chairman, the "ayes" are 71, the "nays" are 31.

**Mr. Chairman:** I declare the amendments carried.

Section 1 agreed to.

Bill 81, as amended, reported.

#### EDUCATION AMENDMENT ACT (concluded)

The committee divided on Mr. Foulds' amendment to section 1 of Bill 87, which was negatived on the following vote:

**The Clerk Assistant:** Mr. Chairman, the "ayes" are 32, the "nays" are 70.

**Mr. Chairman:** I declare the amendment lost.

Section 1 agreed to.

Bill 87 reported.

#### MUNICIPAL AMENDMENT ACT (concluded)

The committee divided on Mr. Swart's amendment to subsection (c) of section 10 of Bill 89, which was negatived on the following vote:

**The Clerk Assistant:** Mr. Chairman the "ayes" are 32, the "nays" are 70.

**Mr Chairman:** I declare the amendment lost.

Section 10 agreed to.

Bill 89 reported.

### ONTARIO NEW HOME WARRANTIES PLAN ACT (concluded)

The committee divided on Mr. Renwick's amendment to section 2 of Bill 94, which was negated on the following vote:

**The Clerk Assistant:** Mr. Chairman the "ayes" are 32, the "nays" are 70.

**Mr. Chairman:** I declare the amendment lost.

Section 2 agreed to.

The committee divided on Mr. Renwick's amendments to section 13 of Bill 94 which were negated on the following vote:

**The Clerk Assistant:** Mr. Chairman the "ayes" are 32, the "nays" are 70.

**Mr. Chairman:** I declare the amendments lost.

Section 13 agreed to.

Bill 94 reported.

Hon. Mr. Welch moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Deputy Chairman:** Mr. Speaker, the committee of the whole House begs to report four bills with certain amendments and asks for leave to sit again.

Report agreed to.

### THIRD READINGS

The following bills were given third reading upon motion:

Bill 81, An Act to amend the Environmental Protection Act, 1971.

Bill 87, An Act to amend the Education Act, 1974.

Bill 89, An Act to amend the Municipal Act.

**Clerk of the House:** Bill 94, An Act to provide Certain Protections for Purchasers of New Homes.

**Mr. Renwick:** Mr. Speaker, as we indicated when we supported the bill, we did so because the principle of the bill was basically good. There had been a lengthy delay in the government bringing it forward and we indicated that we would support it in anticipation that at least some of the four major amendments which we proposed in committee of the whole House would be adopted by the government. Each of those amendments has now been read and each one of them has been lost and we will therefore divide on the bill.

The four areas were the nature of the corporation which would administer the new home warranty programme and its direct responsibility to the minister; the length the warranty periods provided; the inability of the government to accept the provision that a major structural defect would lead to a right in the owner to repudiate the contract and to reject the home; and the inability of the government to insist that an inspector's certificate be the document which would lead to the commencement of the warranty period. We will therefore divide on third reading.

**Mr. Kerrio:** Flip-flop.

**Mr. Speaker:** The motion is for third reading of Bill 94.

[3:30]

The House divided on the motion for third reading of Bill 94, which was approved on the following vote:

AYES	NAYS
Auld	Angus
Belanger	Bain
Bennett	Breaugh
Birch	Bryden
Breithaupt	Burr
Brunelle	Cassidy
Conway	Davidson
Cunningham	(Cambridge)
Davis	Davison
Drea	(Hamilton
Eakins	Centre)
Eaton	Deans
Edighoffer	Di Santo
Ferris	Dukszta
Gaunt	Germa
Givens	Gigantes
Good	Godfrey
Gregory	Grande
Grossman	Laughren



## AYES

Haggerty  
Hall  
Handleman  
Henderson  
Irvine  
Johnson  
(Wellington-  
Dufferin-Peel)  
Jones  
Kennedy  
Kerr  
Kerrio  
Lane  
Leluk  
MacBeth  
Maack  
Mancini  
McCague  
McKeough  
McKessock  
McNeil  
Meen  
Morrow  
Newman  
(Durham-York)  
Newman  
(Windsor-  
Walkerville)  
Nixon  
Norton  
O'Neil  
Parrott  
Peterson  
Reed  
(Halton-  
Burlington)  
Ruston  
Sargent  
Scrivener  
Shore  
Singer  
Smith  
(Nipissing)  
Smith  
(Hamilton  
West)  
Snow  
Spence  
Stephenson  
Stong  
Sweeney  
Taylor  
Timbrell  
Villeneuve  
Welch  
Wells  
Williams  
Worton  
Yakabuski—68.

## NAYS

Lawlor  
Lewis  
Lupusella  
MacDonald  
Mackenzie  
Makarchuk  
Martel  
McClellan  
Philip  
Renwick  
Samis  
Sandeman  
Swart  
Warner  
Young  
Ziemba—32.

**Mr. Breithaupt:** Mr. Speaker, on a point of order. The Minister of Transportation and Communications is within the precincts of the House. Should he not, in fact, formally vote?

**An hon. member:** He supports us.

**Mr. Speaker:** Anyone in the chamber is supposed to vote. Will the hon. minister declare his intention?

Interjections.

**Mr. Speaker:** Is it an aye?

**An hon. member:** He doesn't know.

**Mr. Speaker:** Are you supporting the bill?

**Hon. Mr. Snow:** Why certainly, Mr. Speaker.

**Mr. Laughren:** On a point of order, I don't believe that I was recorded.

**Clerk of the House:** Mr. Foulds, yes—no, Mr. Laughren. Is Mr. Foulds not there? Mr. Foulds was called instead of Mr. Laughren, Mr. Speaker.

**Mr. Speaker,** the ayes are 68 and the nays 32.

**Mr. Deans:** Mr. Speaker, on a point of order, I want to ask you to consider something. It is necessary for all of the members who vote in a vote to be in the chamber before the vote commences. In fact, the Minister of Transportation and Communications was not in the chamber prior to the vote commencing. He entered the chamber through the door to the Speaker's office. And I would ask you if you would, in future, require that that door be tiled as all other doors are required to be tiled during the time the vote is being taken.

**Mr. Speaker:** I hadn't noticed that but that is the way it is supposed to be.

**Hon. Mr. Snow:** On a point of order, that was exactly the reason why I did not come to my seat and why I did not vote.

**Mr. Deans:** I understand that.

**Hon. Mr. Snow:** I understood—

**Mr. Lewis:** You shouldn't have forced them to drag you to vote.

**Hon. Mr. Snow:** But I was only too happy to come and support the government.

**Mr. Speaker:** Order, please.



**Mr. Breithaupt:** I am sorry I raised the whole thing.

**Mr. Speaker:** Order, please. I think the Speaker was misled twice.

#### NOTICE OF MOTION NO. 6

**Hon. Mr. McKeough:** Mr. Speaker, on notice of motion No. 6, standing in my name, which I moved, it has been suggested, and I am quite agreeable, that the date be changed to Oct. 31, 1976 and I would so move.

**Mr. Breithaupt:** Mr. Speaker, with respect to that motion, the suggestion has been made with respect to the four-month term. It has been brought to my attention as well that on page 16 of the second interim report which has just been presented to the assembly today, under government motions and resolutions, the four-month term is also suggested. So I am certainly pleased that the minister has accepted the suggestion that October should be the date.

**Mr. Speaker:** Hon. Mr. McKeough moves an amendment to the resolution that the date of March 31, 1977, be withdrawn and the date of Oct. 31, 1976, be inserted.

Motion agreed to.

Resolution concurred in.

#### ANSWERS TO WRITTEN QUESTIONS

**Hon Mr. Welch:** Mr. Speaker, I wish to table the answers to questions 71, 92, 100, 118, 123 and 131 standing on the notice paper. (See appendix A.)

I am wondering if I could seek some direction from the House? There are remaining to be done the estimates of the Ministry of Health in committee of supply. There is standing on the clock, I understand, about three hours and five minutes. If, in fact, the House would concur, we could start those estimates now and carry on even though we went past six. Once they were completed that would, in fact, look after the business which we agreed to do before the recess.

**Mr. Nixon:** We could do them next October.

**Hon. Mr. Welch:** But we have three hours and five minutes and if it is agreed we would just—

**Hon. Mr. Davis:** Nov. 1.

**Hon. Mr. Welch:** —do them now, get them completed and then rise for supper. If that would be the wish of the House we would now go into committee of supply and stay in committee for the three hours and five minutes to finish the Ministry of Health and then rise and report.

**Mr. Nixon:** No way. We can do them in October.

**Hon. Mr. Welch:** No, I think it would be nice to get them done now. The Minister of Health is eager to do it now.

**Mr. Breithaupt:** It is the House leader's intention, then, to call the concurrences directly at that point and complete the term?

**Hon. Mr. Welch:** The concurrences have been done and the third readings are now done. We would finish the Ministry of Health. We would finish those estimates in committee of supply. We would rise. We would go and get the Lieutenant Governor and ask her to drop in and give royal assent.

**Mr. Nixon:** Tell her to bring in a dissolution with her.

**Hon. Mr. Welch:** Is it agreed that we would do that?

**Mr. Speaker:** Is that agreed to?

Agreed.

#### ESTIMATES, MINISTRY OF HEALTH (concluded)

**Mr. Deputy Chairman:** We were dealing with vote 3002 when the committee rose at 2 o'clock and it is my understanding that there is approximately half an hour left to consider vote 3002 as agreed earlier this morning by the three House leaders.

On vote 3002:

**Mr. Bain:** Before we leave the point the minister and I were discussing before we moved into question period. I'd like to ask him a couple of things.

The minister mentioned the recent survey being done in Kirland Lake regarding overall health care and specifically regarding the possible utilization of the old Kirkland and District Hospital as a chronic and semi-chronic care facility. He mentioned in that regard that this study was not being done for the purpose of determining what would be done with the old hospital.

I would like to ask him, if this is not the case, why is it that the council in Kirkland Lake believes that the present study being undertaken by the Ministry of Health and the Ministry of Community and Social Services is specifically for that purpose? I'll read one sentence to you, referring to two ministries—"is conducting a survey of the need for chronic care services in the area as a possible use for this building."

Because time does not permit I will not read the whole letter but if you would like I can send you a copy of the letter. They are definitely referring to the old hospital. Why is the council under the impression that the present study is being done to determine whether or not the old hospital will be used as a chronic care facility? Would you communicate with the council on that matter and clear this up?

The second item I would like to ask you about—would the minister like to answer that or would you like me to give you the two at the same time?

**Hon. F. S. Miller:** Maybe my answers were construed to be for two different towns. In talking about Kirkland Lake, the study going on in Kirkland Lake is a valid study and we are, in our ministry, awaiting the outcome of it as we said we would. I understand that the Ministry of Government Services has said that the sale of the building will be held up until such time as the study is complete.

The study I referred to before lunch as indicating that you probably wouldn't need to use that hospital for chronic care was, I understood—because I never saw it—done for the local municipality by some consultants. That's what I was told—that they had received a copy of a report commissioned by them some time ago which said, in effect, that there would be no need for that facility in Kirkland Lake to function as a chronic hospital. That had nothing to do with our study. That's what I was trying to imply.

We were asked, as a result of your request to me and to my ministry, to send some people up to talk to the council. That was done. It was agreed a study would be undertaken and that is being done. That's our status there. We advised MGS the moment we understood they had this place offered for sale that our study was going on and we would like the sale withheld until such time as we had results. Okay?

**Mr. Bain:** Thank you very much for that clarification.

The second item I would like to discuss briefly with you is you have mentioned the

appointment of four people by your ministry to the Timiskaming Hospital Board. I won't go over the old ground we discussed this morning. Suffice it to say, what were the criteria for choosing those particular four people?

**Hon. F. S. Miller:** I didn't lay out any criteria for choosing those four people. I asked that four people's names be submitted to me from the area as people—

**Mr. Bain:** By whom?

**Hon. F. S. Miller:** I went to the board itself, as a matter of fact, and asked if we could get some people who would be willing to sit in the area. I didn't go to the PC organization or go in any other hidden way.

**Mr. Bain:** Are you sure?

**Hon. F. S. Miller:** We were given four names. I couldn't tell you whether they were NDP or PC. I think these people will tell you, under oath if necessary, that this ministry never approached them in advance to see how they would even vote on the issue.

Their names were submitted. We accepted them and they were put on as our representatives in the hope that they would break this deadlock. I had told the board in advance that it was one of the minister's prerogatives and that I would exercise that prerogative if I had to. I did, after a stalemate developed.

**Mr. Bain:** Could you tell us who was the chairman of the hospital board who made that recommendation?

**Mr. Kerrio:** Mr. Chairman, on a point of order.

**Mr. Deputy Chairman:** Order, please. The hon. member for Niagara Falls has a point of order.

**Mr. Kerrio:** Mr. Chairman, at two or three minutes to 2 o'clock, one of our Liberal members had the floor and he was to have the floor again after question period. I'm surprised at this interjection and that Mr. Chairman isn't aware that that's what has happened.

[3:45]

**Mr. Deputy Chairman:** According to my notes here, the hon. member for Lincoln (Mr. Hall) started to speak, and then the minister indicated that he was going to answer the hon. member for Timiskaming. But I wasn't aware there was going to be any further continuing debate.



**Hon. F. S. Miller:** Mr. Chairman, I have to be honest and say the hon. gentleman is correct. In fact, we had terminated our debate. I thought the member for Lincoln had the floor as we adjourned.

**Mr. Bain:** Mr. Chairman, on a point of order. I was under the impression during committee that, for the sake of brevity, one can ask questions of the minister rather than giving a long oration to start with. This is why I didn't make all my remarks. I simply asked a few questions. I thought the minister would give his answers and I could ask a few questions to clarify them. I just have two questions left.

Who was the chairman of the board at the time those four persons were recommended? Secondly, is the Ministry of Health going to buy the old hospitals from New Liskeard and Haileybury? If so, how much is it going to pay for them?

**Hon. F. S. Miller:** Mr. Chairman, what direction am I under from you?

**Mr. Deputy Chairman:** I would assume you could very quickly answer those two questions and then go to the member for Lincoln who had the floor, but who was interrupted by the minister to answer the question.

**Hon. F. S. Miller:** The answer would be no.

**Mr. Bain:** Who was the chairman?

**Hon. F. S. Miller:** The chairman of the hospital accounts in Haileybury?

**Mr. Bain:** Who recommended those four names?

**Hon. F. S. Miller:** Mr. McKay Clements was chairman of the hospital board, but I believe at that point he was one of the ones who had absented himself from some of the meetings. It seems to me there were a couple of meetings when the people who represented the south end of the area did not turn up. You could go back into the records and see if I'm right or wrong.

**Mr. Bain:** You accepted the recommendation from people who had a particular point of view?

**Hon. F. S. Miller:** It's very possible. In the first case I rejected a recommendation from people with a particular point of view.

**Mr. Deputy Chairman:** The hon. member for Lincoln. Order, please, the hon. member indicated that there would be two quick

questions, and the minister has given two quick answers. Now we'll listen to the hon. member for Lincoln.

**Mr. Hall:** I just want to briefly comment on a recent organizational change in the field of health—in the establishment of district health councils.

Eventually I feel that this can be a progressive move. But I do wish to caution the minister. Mr. Minister, please take every step to see that these councils are and will be constituted by people who represent different interests and facets in the districts, and not merely municipal appointees to yet another committee. Rather, they should be those with experience and involvement in many different volunteer ways and with a real feeling for all the many health care services that are needed in our communities.

I ask the minister not to use these councils for unpleasant tasks only. Please don't have centralized control and decentralized blame. If you really want to work with these councils in an important way, I hope that you will use your influence to build strong councils by getting the right people and by having a flow of people with new ideas joining the boards on an ongoing basis year by year. In that manner you may be creating an excellent agency acting in a responsible manner.

But if these boards were to be just another committee with the same old faces, then they will be a sham and will set back public confidence and public interest. Volunteers will gradually lose interest in their fields of work and the boards will be without representation, without input, without recognition of the problems. So I ask the minister, please do the very best on this. Thank you.

**Hon. F. S. Miller:** This is a very important point and I would like to say that you and I agree completely on the function and the choice of district health councils. If I've been blamed for anything in the district health councils—and when one's in the government party he sometimes gets blamed by his own colleagues—it is that it is a totally non-political process. A steering committee is set up, and once that steering committee is set up to choose members for the district health council, it goes about trying to get a geographic and a professional, a governmental and a lay mix of people for the council. I don't know that they're always as successful as they should be.

I know in your area we did refuse to accept a couple of names on the first sub-



mission of the steering committee. I think they were not questioned on the basis of the integrity or the ability of the people, but the jobs they held in the community.

In our opinion,—I believe one at least was a hospital administrator and I believe perhaps there was an MOH; I'm not quite sure—there were one or two people we deemed to be, as I say, mercenaries. Now that's not a nasty term, it was simply an indication that they worked for one specific part of the health system as employees and therefore could not necessarily be expected to look at the rest of the system. I know you brought up to me privately the point that at least one member appears to have that conflict right now. Is that not right, in your area?

**Mr. Hall:** Yes, but that is not the point I am speaking about.

**Hon. F. S. Miller:** Once we've cleared the composition of the board, the question is what dirty jobs do they get? It is interesting. As I went around the province closing hospitals, you notice that we didn't ask any embryonic health councils to close hospitals or make that choice did we? When I sat in the city of Kitchener the only criticism I got that day was from the steering committee of Brant county, etc., health council who said they felt they should be involved in the closure of the hospitals right at the beginning.

**Mr. S. Smith:** Of course they should.

**Hon. F. S. Miller:** No, I beg to differ, and agree with the gentleman behind you—you don't give them the dirty jobs until, in fact, they've had time to organize. If I were waiting for 1978 or 1979 to close those hospitals, I think it would have been quite fair to ask the council to work toward the objective of reduction of services. I was given a requirement to meet a commitment in said closures and budget cuts this year. A council that is not yet formed or a council just formed would have been given a very nasty job.

We chose one community to give that job to and that was Hamilton, as you may recall. We chose Hamilton because Hamilton's health council, in one form or another, had several years of operating experience, and I believe that health council was unwilling to accept the duty and asked this ministry to step in and offer the advice. That disappointed me a bit, but I quite understood that on paper at least they were only a month or so old, and they felt it was better to let us do it. So we tried to

take the dirty jobs off them in the beginning and we hope that in the future they would have the time to study these things before they had to take any such actions.

**Mr. Makarchuk:** Mr. Chairman, I'd like to continue on the matter of the Brant county health council. I think, to set the record straight, the steering committee of the proposed Brant county health council was under the impression that it would have some say in the relocation of health services in the county. They certainly were not in any way prepared to close any hospital. In fact, some of the members of the steering committee at that time indicated that if they were put in a position where they would have to close a hospital they would rather not be on that committee and certainly not on the health council.

What bothered me about that incident was the fact that the community was led to believe that it would have some say in the health care in Brant county, and of course you came along and you pulled the rug out from underneath them. I just wonder at this time what is the status of the Brant county health council? Is it in the works? Has it been postponed until you resolve the legal problems you have with the hospitals, or are you going to go ahead?

**Hon. F. S. Miller:** The creation of the health council and the problems in the hospitals are not related at all. I opened one in Sudbury last week. I'll be opening one in Chatham tomorrow night. The week before that it was Essex. We've been opening them at the rate of about one a week of late.

**Mr. Haggerty:** Keep closing one a week too.

**Hon. F. S. Miller:** There is no need to delay it. I understand the steering committee is still preparing the names in your area and we would be prepared, as far as I know, to move as soon as the steering committee's reports were in and the routine has gone through.

**Mr. Makarchuk:** Mr. Chairman, as far as I understand it their names have gone in, and you have had the names for some time now—you've had them probably since about February of this year—so I just wondered where the holdup is and for what reason.

**Hon. F. S. Miller:** You are probably more accurate than I in this case. I only know that I haven't as yet been told, or seen the order in council approving it. I'm trying to



think—there were two that were ready to go last week, and it could well be that Brant county was one of those that we were prepared to bring to cabinet within the next few days. I can get the names for you in the afternoon, to see if that is one of them.

**Mr. Makarchuk:** Yes, I would appreciate that.

The other item is the matter of the Brant sanatorium, and this was a letter that was referred to you from the board of governors of the san. The letter was also sent to the Minister of Community and Social Services (Mr. Taylor). It appears to me that here you have an institution that's available and which has all the facilities that you need. There is really no capital investment required to put it into some useful operation in the community.

The long-term care study for Brant county indicates that there is at this time, or when the study was completed March 1, a need for about 57 patients needing home care or residential or extended care services in the county. I just wonder why the reluctance to do anything with the san? Why is there no movement in the ministry? Is it a matter that you are trying to decide which ministry would probably be involved with this thing or are you just steering clear of the whole thing altogether?

**Hon. F. S. Miller:** No. There is a long-term care study going on in the area right now. It was going on prior to the decision to close the Willett Hospital in Paris, and in fact we were going to keep the chronic patients at Willett until the study was complete.

Let's not jump to the conclusion that because it looks like a modern, ready-to-use facility, that money doesn't need to be spent. I will give you two examples: 550 University Ave., the old Mount Sinai Hospital—to you and I, as lay people, it looked like you could have moved patients in tomorrow. It has taken a good many millions of dollars to convert it from active care purposes to chronic purposes.

The second example would be the sanitarium in Thunder Bay. I can recall Dr. Potter visiting that in, I think, late 1972 and listening to the demand for chronic care needs in Thunder Bay. He quickly said "Fine, we will use that hospital; we will move patients in," based upon the same kind of eyeball approach. It cost us one heck of a lot of money to convert that hospital over until it met these standards for fire and other pur-

poses involved in chronic care needs. So what looked like a good facility has to often have a lot of money spent on it.

Now to answer your other question: Brant county health planning council is on my desk today and—

**Mr. Makarchuk:** And when is it expected that you will make the formation of the council formal then, Mr. Minister?

**Hon. F. S. Miller:** Traditionally I have to get the order in council, and I don't think that has passed through cabinet. Four weeks, I am told.

**Mr. Makarchuk:** I am sorry, Mr. Chairman, I am not finished yet. I am just starting.

Getting back to the san, Mr. Minister. Perhaps you are quite right that certain things can be done, but before you make that kind of statement it might be appropriate for somebody from your ministry to go up there and look at it and see whether these things are really needed. There is a good body of opinion in the area that indicates that you probably will not need to do a major refurbishing.

And talking about refurbishing, I think there is an item that should be raised here. It is the matter of the Auchmar Building, which is part of the psychiatric hospital in Hamilton completed in 1961. It is rather a new building with supposedly new facilities and so on, and now you are going through the whole building again. You've been going through it for a couple of years.

This is the kind of wasteful spending I think that your government really is involved in. It indicates some of the problems within the ministry. You have a set of architects who drew up the original plans for that building, then you decide it's not adequate, it's not what they wanted, or somebody in your ministry figures there should be a change. So who do they call on to do the redesigning? They call on the same firm of architects to do the same thing they did before really. I wonder what is the rationale for selecting the same people who are, I think, responsible for some of the problems in the first place?

[4:00]

The other item on that situation involves the local staff, who could have a considerable input. Even though some of your people in Toronto may not give them credit, they certainly have some knowledge of what is required, what changes would be useful, what changes will be adequate, and what should be done to serve the needs for which that



hospital is designed. Once again, you refused. The architects came to the staff, laid a chart or some plans on a table and walked off. Absolutely nothing was done to take into account the input from the staff of the hospital. It is really unexplainable why you do those things or the reason for these situations.

When you do proceed to build it—I will give you an example—you put up Gyproc, very nice panelling. What happens, of course, is that the patients walk around and kick holes in your panelling, so you have a man with mortar and tape going around filling the holes and another man following him with a can of paint and a brush to paint them over. This isn't very profound; it doesn't require a great deal of thought. Why do you do it?

One of the other things you have done in that particular hospital involves the treatment of staff. In that hospital you had able staff—mostly RNAs, who were trained in group therapy, who had a knowledge of psychodrama and so on—who were really the kind of people that provided the health care you needed for the patients in the area. Incidentally, in many cases, if not in all cases, the government paid for their training. So what do you do? In your rather intelligent way of going about the health services in Ontario, you go and you fire these people. You dismiss them and leave a staff that has been there for a longer period of time—adequate but certainly not as well trained, and not as adaptable to new techniques in psychiatry.

The other item which I think is very foolish is that what you are doing in the process of cutting staff—and this is borne out by people who work there—is you are increasing the possibility of the incidence of either suicides, you are increasing the possibility of violence in the wards and you are increasing the possibility of various other types of deviant behaviour because you do not have adequate staff. There have been occasions when you had a fight in the ward and you had to go and get staff from other wards in order to be able to prevent this sort of thing—and the reason that was done was that you did not have the staff. If you had the normal staffing that is required there, this wouldn't have happened. Could you kindly reconcile for me why you do those things? Just exactly how much dollars and cents is it really going to save you in relation to the consequences of your actions in that area?

**Hon. F. S. Miller:** You have some very naive beliefs about psychiatric hospitals. I don't know who you have talked to, but the staff at that hospital did have input into the

change. Secondly, the design of hospitals is usually a result of present thoughts in psychiatry. I can tell you, I have gone to some of our psychiatric hospitals, such as the ones in Goderich, Owen Sound and Timmins, and I would like to know what the architects were thinking of in those days, but they were following doctors' directions.

These hospitals, with their three corridors beside each other, are probably the biggest waste of space I have seen; so are the hospitals with partitions half the height of the wall so that every patient could be observed at all times. These were ideas that doctors held a few years ago when those hospitals were designed. They are not the Ministry of Health's opinions; they are medical opinions. In this case, the staff vetted the plans, and the plans were left up for staff comment.

You wouldn't have any—no, I wouldn't say that—you wouldn't have any inside information on this hospital? You wouldn't have a wife on the staff, would you?

**Mr. Makarchuk:** Yes, I have.

**Hon. F. S. Miller:** Well, check with her later. Does she believe that seniority should apply?

**Mr. Makarchuk:** Oh, absolutely.

**Hon. F. S. Miller:** Then why do you think the changes were made they way they were?

**Mr. Makarchuk:** In the first place, yes, they have consulted the staff, and the staff at other hospitals have discussed these things—

**Hon. F. S. Miller:** Well, why were you making a stink?

**Mr. Makarchuk:** The staff at the hospital are really talking about some of the problems at the hospital, and they have not been consulted. Despite what you say about them having been consulted, they have not.

I will give you an example: You stuck in shower heads there upon which a person could hang himself, when the effort was that this should not happen. You didn't put windows in the doors in the side room—something very ordinary, very natural that should be there. You know, if you consulted with the staff this, of course, would not have happened. Obviously, it seems to me that you haven't consulted.

Certainly we believe in seniority; there's no question about that. What I'm trying to tell you is that in the so-called process of economy you have eliminated it. You've really injured the provision of health service in



that area. And in terms of the dollars and cents, or the benefits to you, what you've done is really a detriment. It is a detriment to the hospital in terms of providing the kind of care that should remain there.

Now, there is another little item of concern. There are certain rumours going around the area that one of your surprise announcements after the House adjourns is going to be that the hospital will be transferred over to the control of the Hamilton health council and so on. Is this the case? If it is, I—

**Hon. F. S. Miller:** I understand that that discussion has been quite open in the area.

**Mr. S. Smith:** Of course. It's been in the paper for weeks.

**Hon. F. S. Miller:** It's one of the discussions between Chedoke, I think, and that hospital that have been going on for some time. No decision has been made, but most certainly we're deciding whether the both hospitals should be under one board.

**Mr. S. Smith:** And it will be a very progressive move if it is made.

**Mr. Makarchuk:** My concern in this case is not which board operates it. My concern—and this is the matter raised by the member for Hamilton—is whether the succession rights of the employees of the hospital will be preserved and continued. Or will they be terminated and the employees may have to go under new pension schemes or would lose their seniority or would lose their pension rights because of the transfer to another board. Would you care to comment on that?

**Hon. F. S. Miller:** Those are always very difficult things, and when we have two unions representing the workers in two different hospitals I think it becomes more difficult to resolve than when only one union is there. We have managed to negotiate those types of problems in the past. We will do our best to negotiate them satisfactorily at this time too.

**Mr. Makarchuk:** Would you at this time give some assurance to the people there that if you do transfer the hospital, those people's rights will be preserved?

**Hon. F. S. Miller:** I can only give this assurance: We'll do our damndest to make sure that the rights in both hospitals of senior staff be preserved.

**Mr. Makarchuk:** I'm not too happy with just the assurance that you're going to try. In the past, this government has a record of

trying various things and the people in the end get shafted. Hopefully you're trying, in this particular case, to ensure that they do not lose their rights. I think that's important.

**Mr. S. Smith:** Mr. Chairman, I want to take up a few points which have been raised, and also a few that I touched on earlier before I had to leave, and give the minister a chance to answer some of the points I raised then and some of the ones I'll mention now.

To begin with, the matter of health councils and whether new health councils should be asked to take on difficult or, as the minister terms it, nasty jobs: I feel that we have here a very fundamental difference between the minister and myself. I want to be sure that this is articulated. Certainly, it is my view that the decisions that have to be made in government ought to be made, wherever possible, as close as possible to the people who are affected by these decisions and to the local communities. That's why I support the efforts of the ministry to arrange local and district health councils which will then be able to spend the health dollar in a way that is determined by the people in the area affected.

I think the sad thing is that most of the regionalization which this government has done within health and outside of health has never had with it the real power to spend the tax dollar, and the real power to make the decisions. As a consequence of this, we have had people regionalized in a way which has given them no more local autonomy and no more genuine local input into their own lives. Rather, it has just given another way-station on the way to dealing with the various ministries and has given the ministry a handle by which to take hold of any given community.

With regard to the regional health council that was touched on by the member for Lincoln (Mr. Hall), I disagree profoundly. I wonder if the minister would consider seriously the possibility that all decisions, be they nasty or not, should be made at the local level and that he wouldn't have got in the trouble he did get in if he'd gone to each of the areas in the province, if they had health councils, and even if they didn't, if he had called them together into a makeshift temporary ad hoc arrangement and had said to them: "Look, your spending per capita on health in this county or in this area is so much and so much and that's really higher than it needs to be, or higher than the other areas in Ontario, therefore you must reduce it. We would suggest that you might consider reducing it by closing beds, or you might



consider reducing it by taking one hospital and closing it, but whatever ways you can think up to reduce it, let us know. I would like to give you a lot of time to do this. I know you're new in the job, but time is of the essence. You only have three months or whatever to do it."

Don't you really believe, Mr. Minister, that you could have accomplished the job without this kind of misery and hardship, that you could have got local involvement, co-operation between villages instead of a situation where village is now fighting village to see which hospital is going to be closed; that you could have got an informed populous who would have been part of the discussion; and that you wouldn't have given the impression that somehow your government operates with lead boots and so on, which I'm sure was never your intention?

That's the first point I want to make with regard to councils. Next may I touch on what I think is a rather irrelevant point made by the member for Brantford (Mr. Makarchuk). There was one point which he almost touched on which I know about from my own work in the area—the trend in psychiatric hospitals. This has been, as the minister well knows, away from in-patient care toward out-patient and community care, halfway houses, rehabilitation centres and so on.

Surely the writing was on the wall long ago that many of the people who now service in-patients would have their jobs in jeopardy as time went along and if this trend continues. This was no surprise. In fact, it was only the freeze on hiring that caused the staff to become rather bottom heavy at a good many of these centres, but everybody knew that the in-patient load was going to go down and this was not news to anybody.

Surely retraining efforts of a much greater sort should have been undertaken. In retrospect, I wonder if the minister would agree that a greater job could have been done retraining many of these nurses aides and orderlies and so on who work in psychiatric institutions so that they could, in fact, do some of the work in the out-patient settings—in the halfway houses, in the various rehabilitation centres and so on.

Some of the community work could have been taken on by these people if properly retrained. I would hope that as these trends become obvious that the ministry would be a little more alert to them and would operate accordingly.

I want to make a few comments about the regression analysis business and I hope the minister will enlighten us and perhaps answer

some questions in this matter. We have been attempting to call the ministry to see if you would be issuing an updated erratum to the errata which have already been issued. I gather that you're not going to be issuing an update, so we've called five or six hospitals in the last couple of days and everyone of them has appealed the ministry cuts based on your regression analysis, and they've all had very critical remarks to make.

It's clear that the analysis could be useful in some circumstances, but the input, or lack of input, has been criticized. Several hospitals noted that 1975 budget estimates were used when in fact the budgets actual were available. Several hospitals noted that statistics for such things as paid hours were taken from two particular months, September and October only, and in some cases those months were not representative of the general activity taking place in those hospitals.

In another instance, it fails to represent such things as the caseload mix or the specialized activity. For instance, whether there be special cardiovascular out-patient services and so on which were not counted fairly. In addition to that, the chronic patient days were excluded from the regression analysis and this led to very big problems, for instance, St. Thomas hospital. We understand also that some hospitals noted that when they contracted services such as food or laundry, that the regression analysis automatically excluded these items from consideration. We would like to know if that is true and if so, why?

[4:15]

We were also told that there is one hospital in Toronto, a rather large one, that has gone over the regression analysis inputs as they actually were—not the ones they would like them to be, but the ones that the ministry used—with people from the ministry. They sat down together with people from the ministry and tried to figure out sort of manually what the figures ought to be and they still came out with figures that were significantly less than what the computer printed out. I would like to know whether the ministry is aware of this problem and what explanation there is. What I really wish to know is what has happened to the section of the ministry that came up with this brilliant regression analysis? Has it, in fact, remained intact? I would like a report on that from the minister.

I want to move for a moment back to the question of the children's mental health services branch and make a little clearer some of the comments that I touched on earlier in



the day, regarding the situation in Browndale with the tremendous leases that are involved. I would hope that the minister is prepared to answer the question about these leases.

Is it not a fact that the ministry has had to approve all the Browndale leases? Isn't this something which goes as part of the arrangement with Browndale? Did the audit indicate any conflict of interest in the leasing? In other words, would you not agree that many of the leases were, in fact, being arranged with people who were the same principals as those who are operating Browndale and receiving a salary for doing so?

I notice you say that in looking at the per diem money there is the question as to whether the people in Browndale National were the same people who are on the list of Browndale Ontario, and that's the only comment you make with regard to this business of contracting out the management. Are you convinced, Mr. Minister, that when Browndale Ontario contracted out its management to Browndale National that it was, in fact, getting management services for this worth \$1 million a year?

Are your suspicions aroused at all that the houses being leased by Browndale are frequently being leased from other Browndale interests, and that they were, in turn, purchased from other Browndale interests, which in several instances in turn were purchased from several other Browndale interests? Are your suspicions aroused at all about this? There is a so-called management team that operates in the Browndale situation in Browndale Ontario. I am just trying to find the list of people on that. Here we are, Brown Camps' residential and day schools in Browndale Ontario, and there are some names on this management team that are certainly involved as far as we can make out with Browndale National and we wonder whether in fact you have taken any steps to follow these particular names.

There's, of course, Debbie Brown herself and Marvin Brown, it goes without mentioning, and then there's one Earl Heiber and Leonard Marvey who might in fact be involved with that as well. Basically, I have a list of the so-called members of the management team of Brown Camps' residential and days schools. Can you really explain to me, and through me to those interested members of the public in the Province of Ontario, why it is necessary for the Province of Ontario to do business with a group that contracts out its management, that is allegedly a non-profit group and yet leases its facilities from clearly related individuals?

Surely if this were the case in any other situation you would have acted long ago? When I operated a unit at St. Joseph's Hospital, if in addition to my salary I was also making sure that all the bed sheets at St. Joseph's Hospital and all the parking facilities at St. Joseph's Hospital were all dealt with by my other companies, and if these other companies made sure to charge prices that were based on our expenses, and if these expenses were based on the fact that we bought the bed sheets from several other of my companies, I suspect that you would have raised a fair amount of furore about this.

This is supposedly part of the health branch, this is supposedly a treatment service, and I think it's really shocking that it should be permitted to carry on without the proper scrutiny. The Leader of the Opposition (Mr. Lewis) at one point said he would like to see the results of the audit. I want to see the audit itself. I want to see the actual figures in that audit. Your refusal to do so is about the same as the refusal of the Attorney General (Mr. McMurtry) to act even weeks after we had presented him with information.

Can the minister tell me whether this audit takes into account 1973? Can the minister tell me whether, in 1973 when Browndale was coming up with a figure for a per diem and listing its salaries and expenses, those salaries and expenses were checked against 1972 and early 1973 to see whether there was any unusual change in the figures to justify a higher per diem?

With regard to those centres which are charging less than Browndale, is the minister able to tell us that those centres are treating people who are less disturbed or are they giving less beneficial treatment? How is it that they can manage to function for less money than it costs Browndale? What is the minister's explanation for that? I will wait for answers on those particular matters.

I personally feel that plenty is rotten in the whole children's mental health services branch if they can spend \$65 and \$85 a day on these services without any proof that the children there are getting much better care or are much more disturbed or need much different or more complex care than those in some of the group homes under Community and Social Services for \$32 a day. I think it is shocking that this should be persisting in this way.

I want to know why the interministerial report which has looked into precisely this matter—and which I suspect exonerates



Community and Social Services and points the finger of blame at Health—is being suppressed and kept from this House. Perhaps the minister would care to answer some of those questions.

**Hon. F. S. Miller:** I will have to know how much time I have left on the vote because I had some idea that I was to be through at—

**Mr. Chairman:** For your guidance, there are two hours and 21 minutes left for supply. I was told by the previous chairman that this vote, 3002, was to carry at 4:15. I am in the hands of the committee.

**Mr. Duksza:** Mr. Chairman, we had a discussion with the House leader of the Liberal Party. We agreed we would go on with this item for another 20 minutes and then we will switch for the last two hours to occupational health.

**Mr. Breithaupt:** That would suit us, Mr. Chairman. There are a number of my colleagues particularly who have brief comments on a certain number of items. I understand you have their names and perhaps they can be called so that the matter can be resolved.

**Mr. Duksza:** One more remark. We agreed also that as we don't have any speakers on this side the Liberals will go successively. They will pay us back by doing the same thing on the next item.

**Mr. Chairman:** You are saying that you want the remaining 20 minutes of the two hours and 20 minutes to be used up on vote 3002?

**Mr. Duksza:** Yes.

**Hon. F. S. Miller:** Successively, but perhaps not successfully.

**Mr. Laughren:** Not progressively either.

**Hon. F. S. Miller:** That is reserved for one party alone. That's us.

**Mr. S. Smith:** The forwards-backwards party.

**Hon. F. S. Miller:** At least we know which way we are going on any given day of the week.

**Mr. S. Smith:** Yes, down.

**Mr. Kerrio:** Point of order, please. I heard the remarks of the critic from the NDP and I wonder, on the next vote, is

there some guarantee that we will get reasonable equal time on it?

**Mr. Duksza:** Yes. What we meant was there are three Liberals speaking on this thing and we will have the same number speaking on the next item, then we will return to the normal approach.

**Hon. F. S. Miller:** Whatever that means I am back here anyway.

**Mr. Chairman:** The minister may continue.

**Hon. F. S. Miller:** All I know is I have to answer anybody who speaks, no matter what party they are in.

The one thing I would like to say to the leader of the Liberals is this: I share many of his hopes about health councils and their ability to guide and make decisions—at least, not make decisions but give advice to us for the time being—in the long run to start making the decisions once they're responsible fiscally for budgets—if that ever happens. That's been studied by a lot of people and I think it was determined that you have to work your way into that area. It's not something that happens overnight.

As I open a new health council in any given city, or a community, usually the press is there to meet me. The press often believes that because we have named the health council on that day, the next day problems will be solved and I will be given a long list of solutions and action will start at once. Our experience has been that it takes a long time to do this. I would say Ottawa is just now reaching the point where it will be able to take a more active role.

First, even those people who are professionals have to start thinking in a more global sense. Second, those people who aren't professionals have to learn a fair amount, if not all, about the health system. Third, there are already in place a whole bunch of bodies who purport to represent special interests in the health field. They all want to be tied into the new health council. Lines of communication have to develop before, in effect, the health council has the confidence of the group it represents.

Therefore, it will take time for any health council to do the things you feel that we should have challenged them to do at the very beginning. We only differ on the time that it takes for the decisions to flow back to us, rather than us having to act in their stead.



**Mr. S. Smith:** It sounds like the dissolution of the British Empire.

**Hon. F. S. Miller:** No, I'm quite satisfied.

**Mr. S. Smith:** The natives require more time before they can take on these complex functions.

**Hon. F. S. Miller:** Show me where we did that with functioning health councils working somewhere. We, at least, are trying to get them to work. They've been studied, as you know, by four or five groups of people—right from the Committee on the Healing Arts, I think, through to the Mustard report on medical education—all of whom said it should work. Our ministry said it should work. So, finally, we said: "We'll make them work or try to make them work, but it's going to take a good deal of patience."

Most of them start out by thinking themselves as advocates for everything in their area. They don't try to prioritize; they just want. We have to change that thinking, too. They're going to have to make the tough decisions, and most of them don't want to.

**Mr. S. Smith:** Make them responsible and they will.

**Hon. F. S. Miller:** You may be sure I will do it.

**Mr. S. Smith:** It's the old colonial argument.

**Hon. F. S. Miller:** Okay, you ask that we change it. This morning I had an opportunity in your absence to talk about the regression analysis—and I can only say, sure.

**Mr. S. Smith:** I will read it in Hansard.

**Hon. F. S. Miller:** I didn't answer one specific point. There were two things that we had done. The first is admitting that obviously inadequate input was used. We are having a fairly competent outsider look over the input data and give us advice on it.

Second, yes, staff changes were made. I think it's understandable that there would be. I don't know that I would try to lay blame at staff's door. I said this morning that, in fact, it was a new venture. It was an attempt to be specific rather than using an across-the-board cut for everybody. We think it had its failures, but it also got us a number of specific savings that the old approach would not have achieved.

You got on to Browndale and a good deal of your argument centres around the arm's-

length or the non-arm's length nature of the leases. Today, we no longer are concerned about the rents they pay for homes, because we're not basing the per diem on them. We're simply taking last year's budget and giving them a small increment on that basis—and I would think quite small in this case this year.

**Mr. S. Smith:** How much?

**Hon. F. S. Miller:** It hasn't been negotiated yet.

**Mr. S. Smith:** More than 5.5 per cent?

**Hon. F. S. Miller:** Eight per cent is the Ministry of Health's guideline.

**Mr. S. Smith:** But they are competing with ComSoc's housing?

**Hon. F. S. Miller:** Okay. As far as the different rates go I think a good argument can be made for some standardization of rates across the field. But up to date, people like yourself, who are specialists, claim that each model is different. They've argued strenuously for the uniqueness of the model they function with. I'm not willing to argue that I believe that. I'm quite willing to say that I think some standardization should occur, and try to work towards those ends.

I think the question of whether or not the prices paid for rent to Browndale interests for properties rented is properly the subject of the Attorney General's investigation, and I think he will be reporting on that once he's finished.

You asked one last question. Our information is that Browndale, in fact, does take more children with severe emotional distress than some other groups although you know how hard that is to assess sometimes.

[4:30]

**Mr. S. Smith:** Just a last brief point on Browndale. Is it true that the Browndale quota in Haliburton—I asked this this morning and perhaps it has been forgotten—might be reduced to 30 from 50 and that there might have been letters sent out to parents in Ottawa saying that an Ottawa Browndale programme might be started? Why should they be allowed to expand their quota as long as the present situation exists? What are the chances of a new programme in Haliburton?

**Hon. F. S. Miller:** I don't know anything about Ottawa except that I talked to one of the unhappy Browndale employees from the Haliburton area who was attempting to move

to Ottawa with the staff which had quit in Haliburton, and set up a competitive venture there. That's all I know; it had nothing to do with Browndale itself. It was competitive to Browndale.

**Mr. Spence:** Mr. Chairman, I would like to ask a few questions of the Minister of Health with regard to nursing homes. I had one nursing home, the Golden Acres Nursing Home, in the county of Kent. The owner came to see me and brought to my attention the concern to make ends meet there and also at the Bobier Nursing Home in the county of Elgin, which was left by one of the highly respected citizens of that area to the two municipalities.

This nursing home had asked me to sit in on one of their meetings because they weren't breaking even with costs. I must say, Mr. Minister, I am not returning here to look at the pay sheet and to have a union there. It looked as if the pay sheet was very reasonable.

Of course, there was an increase of \$2 for nursing homes in April, where the ward-care patients' cost was increased by \$1.75 per day. The contribution that your ministry gives to each patient in nursing homes is 25 cents a day. This meant that the ward-care patient paid \$7.90 a day, and the province paid \$13.20.

Of course, Mr. Minister, this nursing home pays no taxes in these two municipalities. They were not breaking even; the expenses were higher than the revenue. It was a concern to the board which operates this very fine nursing home. There was a select committee set up in Ontario to look into nursing homes across the province. After the select committee went across this province, the chairman wrote me a note and said that this Bobier Nursing Home was one of the best nursing homes they had visited.

Is it true that nursing homes are not able to break even with the increase of \$2 for ward-care? And if they are not, what approach are you taking to solve this problem that these boards are facing in the operation of nursing homes?

**Hon. F. S. Miller:** Mr. Chairman, we have only one rate for nursing homes in the province as you know; \$21 a day for a ward room, of which, I think, the patient pays a co-payment fee of \$7.40.

One can go to semi-private or private accommodation if it's available and pay a premium for that. We require just about half of the beds to be in ward state even if they

are, really in design, semi-private or private. The statute requires that.

Individual homes vary very much in their operating efficiency. They asked us for more than a \$2-a-day increase, naturally, but an analysis of the data given to us by the nursing home groups made us believe that the efficient nursing homes could make a profit at the \$21 level. I guess there is always a problem when a municipality runs a business. It doesn't necessarily look at things, let's say, in as tightfisted a way as a person trying to make a profit. This would indicate that this particular nursing home isn't even retiring debt. And you know, the average person, at \$21 a day, is paying perhaps \$5 a day for capital cost allowance out of that.

So your municipality owned nursing homes have an advantage right off the bat there—no taxes, no capital debt retirement. I would have thought they had a great big safety margin in terms of operating costs. Perhaps the safest thing for us to do would be to send one of our specialists down to see them and, if you'd give us the name afterwards, give them some advice on areas within the management structure where they could improve.

**Mr. B. Newman:** Mr. Chairman, I wanted to raise a few issues with the minister concerning my own riding, but before I do I wanted to bring to his attention something that has happened within the last three months on three different occasions and that is where constituents visited me stating that others had been using their medical cards, their OHIP cards, to get service.

In discussing this with the individuals involved, they made mention that to prevent that happening the use of both the OHIP card and a social insurance number would prevent someone else from using the card.

The parties who brought this to my attention in all three instances happened to be elderly ladies. I know that more than likely they wouldn't have social insurance numbers, but I think there would be no problem for them to get a social insurance number to prevent this type of abuse and use by another individual. Maybe that is part of an answer. Could I have the minister's comments on that?

**Hon. F. S. Miller:** This ties in somewhat with the comments of the member for Huron-Bruce (Mr. Gaunt) this morning, who talked about the use of a plastic card for the individual; that, of course, would be the best solution of all.



I'm intrigued at this. Frankly I have never heard that complaint made before in a province where something over 99 per cent of the people in the province have their own OHIP number. I just wonder what motive there is for someone to use somebody else's number to begin with.

**Mr. B. Newman:** Mr. Minister, I would never assume that someone would do that, but I live on a border town and I sort of put two and two together. I immediately assumed that maybe the party who was using it was an American citizen trying to get free health services in the Province of Ontario.

**Hon. F. S. Miller:** That could easily be and that would almost require collusion, I would think. You know, there's one other alternative that's maybe possible. It is possible a doctor is falsifying the records, and I think that's certainly an alternative that would have to be explored. I'm curious to know, for example how the ladies knew somebody used their OHIP cards. The only route I can imagine is they got the audit trail reports that we send out from time to time saying: "The following charges have been paid on your behalf. Please let us know if these services were rendered to you," or words to that effect.

It is their duty, as we see it, to report anything incorrect on that statement to OHIP so that OHIP can then find out why somebody else is using their number, or why the doctor may be billing for services that the patient can't recall receiving. This has been a very effective way of uncovering fraud in the past, and I would think in these cases if you would give me the information, or the people's names, we could very quickly do a rundown to see if there's any, for example, similarity—are the same doctors doing it, etc.

**Mr. B. Newman:** I will try to provide you with that, Mr. Minister. The thing that struck me is that I happened to have three, sort of one after the other. I had never heard of a thing like that at all, and now, if I tell you the individual, Mr. Minister, maybe you also will understand what has taken place here.

The other issue that I wanted to raise with you, Mr. Minister, is concerning the rationalization of hospital services in my own community. Are you going to phase out Riverview as of March, 1977, or are you going to allow it to remain as a result of the appealing of the four hospitals to the courts?

**Hon. F. S. Miller:** No, they aren't the same kind of issue, Mr. Chairman. The decision

had been taken, and I thought agreed upon, by your hospital council down there and we are phasing Riverview out on April 1, 1977.

**Mr. B. Newman:** I said the end of March, 1977, so we are both right. No consideration is going to be given to the extension of the use of that hospital? It is going to be phased out completely by the end of March, 1977?

A thing that also has taken a bit of my attention recently is constituent calls concerning inability to get hospital services. The hospitals seem to be booked completely and they don't have hospital beds available. The latest one I got by letter from a woman who was extremely critical because her husband had to stay out in the hall of the hospital while there are wings or parts of the hospital which are closed. Would you reply to that?

**Hon. F. S. Miller:** First it could be for any number of causes. We had recommended—pardon me, your council recommended to us—the creation of an assessment and placement service as an essential part of the overall utilization of hospitals and other facilities in your area. That is not functioning yet.

Secondly, it is difficult to change the admitting practices of physicians in a given area. When we cut down on the number of beds there is naturally some pressure put upon the whole system because doctors and patients who previously could get in for, let's say, minor ailments no longer can. I think this explains exactly why you are having your trouble. A more serious side effect can sometimes be that those people who shouldn't get in do and make it difficult for a true emergency to find suitable accommodation.

**Mr. B. Newman:** Because of the constraints on time, I am only going to ask one other question of you and allow other members of my own caucus the opportunity. Is the decision on the burn unit in the community going to be a decision of your ministry? Or is it going to be a decision of the local health council as to where it is going to be located? The best information that I have is it is going to be located in Metropolitan Hospital. Do you decide or does the health council decide?

**Hon. F. S. Miller:** I lost the first part of your question; I am sorry.

**Mr. B. Newman:** It's on the burn unit the firemen in the community were going to set up in one of the hospitals. They have raised all the funds for it. You will recall that at



one time we met in your office concerning that.

**Hon. F. S. Miller:** You will also recall that the reason the burn unit wasn't in place was that it wasn't the highest priority at the local level.

**Mr. B. Newman:** Right.

**Hon. F. S. Miller:** We accepted that yet again we were blamed for the lack of implementation of that particular unit with which we agreed. It is one of those cases where we did exactly what people told us to do. We accepted the local priority. We are accepting local advice on that and will continue to.

**Mr. B. Newman:** The decision has not been made as yet; am I correct?

**Hon. F. S. Miller:** I thought it was to go to the Metropolitan, as to its location. I think the question is when?

**Mr. Kerrio:** Mr. Minister, the last time we were in a contest we were on the same team.

**Hon. F. S. Miller:** Now we are opposed.

**Mr. Kerrio:** I have been traded.

I have two areas of interest and one has to do with public labs. I am a proponent of the free enterprise system and I would protect that particular theory which I have in regard to this society of ours but only to the degree that there exists real and honest competition. I think it goes without saying that in my jurisdiction I would like that particular aspect brought into focus in view of what has transpired in hospitals and health care in the province.

I would make a strong point in that particular area. The minute we allow monopolies and we license particular people in certain areas to operate to the point where they can and will take advantage of the public, we all pay quite a large price.

[4:45]

The other area I would touch on briefly has to do with my interest in the closing of hospitals in this province and how it relates not only to your ministry but to the cabinet and to the government. Where I would criticize them is the fact that in the estimates with your House leader I pointed out in my submission, and I would just read this into the record in regards to Wintario funds, that the first day I stood in the Legislature I criticized the fact that Wintario funds were being used in a frivolous way. I will quote directly from Hansard:

Many members of this House stood before you, Mr. Speaker, and suggested that all sides of the House supported this particular feeling—that is in regards to using Wintario funds as they are—but I would make one comment I think would be very valid. I would suggest to you, Mr. Minister, that all members on all sides of the House supported Wintario before we started closing hospitals. I think it's time to reconsider our priorities and get our house in order. Now, the Minister of Culture and Recreation (Mr. Welch) replied and I would quote him:

Many people have come to me, I am sure, as they have come to you, just remember, and raised some questions about Health and other related fields. I am sure the entire net proceeds of Wintario would in fact go for 2½ days to operate the Ministry of Health.

Well, Mr. Minister, the very fact that your House leader made that comment indicates that he wasn't tuned into what I was trying to suggest—that this government itself is to blame for the over-expansion of hospitals, staffs and that they have to accept the responsibility. I would suggest to you that greater respect would have been gained by using Wintario funds during the term, that you might cut back across the whole health field instead of just zooming in on these particular hospitals. And I think that the people of Ontario feel much that way. I would like to put those comments in the record on behalf of my constituents and myself, and I would just like to hear your comments on those matters.

**Hon. F. S. Miller:** I will answer both questions quickly. Of course, I defended the private lab system as such, but I also agree it is not a truly competitive system in that we don't call for prices, we call for delivery of services from one purchaser at one price, in effect. The doctors in many cases really decide where the lab tests go.

One of the problems has been, whether we like it or not, that the private labs have given better service than some of the publicly owned hospitals do, and doctors have tended to go there.

**Mr. Martel:** It works in reverse though, the same thing in reverse.

**Hon. F. S. Miller:** You know it has been a very quiet day; it was a very quiet day until you got here. I will ask the chairman to stop interjections.

Interjection.

**Hon. F. S. Miller:** Mr. Chairman, watch the interjections please, away over on the far side.

**Mr. Martel:** There was no invitation for the local members at the big bash the other night.



**Hon. F. S. Miller:** What big bash?

**Mr. Martel:** In Sudbury.

**Hon. F. S. Miller:** I never invite the local members of any party to those big bashes. There have never been any Conservatives at one and there has never been any NDP or any Liberals. It is a non-political meeting with the people who are elected or chosen.

**Mr. Martel:** You would like to make it political by appointing them all.

**Mr. Chairman:** Order, please—the hon. minister may continue.

**Hon. F. S. Miller:** I expect the firmness with him that I expect with others, Mr. Chairman. Okay, the question of—

**Mr. Godfrey:** Free enterprise labs.

**Hon. F. S. Miller:** Really, we are finished with that one. We are going to be working on methods of making the labs give us better prices on an overall system of volume-price relationship insofar as we can. And we are going to try to make the hospitals utilize their spare capacities—the member for Durham West pointed out all those hours of the day and week when lab capacity sometimes remains under-utilized; I think we have to take those into account when we work on them.

As I remember the last topic he talked about—I had it on my mind before the interjections—

**Mr. Kerrio:** Wintario.

**Hon. F. S. Miller:** Wintario, yes. Now let's be honest, a good deal of Wintario money is going into projects that are related to physical activities in the community. For my money, that's preventive medicine to a large degree.

You know the real savings in health care will come from changing the lifestyles of this country, not from more medicine. I would suggest to you in its own discreet way anything that encourages physical activity in the community prior to illness will prevent illness. It seems a bit ironic to me, now that I have had this heart attack, that I now am doing all the things that you should do today—

**Mr. Swart:** Especially him.

**Hon. F. S. Miller:** Yes, especially you. Think of the six reasons why you might suffer a heart attack. Do you smoke?

**Mr. Kerrio:** No.

**Hon. F. S. Miller:** Are you overweight?

**Mr. Kerrio:** No.

**Hon. F. S. Miller:** Now, now. You have got to look at that one again.

Are you under stress?

**Mr. Angus:** He is a Liberal.

**Hon. F. S. Miller:** Do you have diabetes and so on? Do you take daily exercise? Most of us don't. I am now on a 16-minute mile once a day, and I am going up to five miles in an hour very shortly, but seriously we need to encourage our people to change their lifestyle before any meaningful change in the level of health care takes place. Frankly, I hope some of the seed money from Wintario for local community centres and things like that will have a real bearing on it—

**Mr. Laughren:** Are you listening to the NDP health committee?

**Hon. F. S. Miller:** —but the fact remains that Wintario was set up to fund those things that were not normally funded from the general revenues of the province.

Second, my attempts to save dollars were not because we couldn't possibly raise them on the tax base of Ontario, because we could, but in the sincere belief that we were spending money without getting benefits for that money in certain areas of the province and therefore we shouldn't waste it. They are quite different issues. Why should I waste Wintario money any more than I should waste tax money?

**Mr. Kerrio:** You would not waste it if you kept hospitals open with it.

**Mr. Chairman:** I have the names of three speakers from the Liberal Party—the hon. members for Grey, Erie and Kitchener. Do you want to share the seven minutes remaining until 5 p.m.?

**Mr. Breithaupt:** Yes, carry on.

**Mr. McKessock:** I have a few questions and a few comments.

In your opening remarks you said that we have a health system in Ontario that we should be proud of. I would just like to bring to your attention again that some 9,000 people in the area served by the Durham Hospital are proud of that part of the system mainly because it is the part of the system that satisfies their health needs on a local and personalized basis.

If you were really serious about saving money, I wonder why you didn't leave the hospitals open and cut all hospital budgets by 10 per cent and save five times the amount of money? When you close a hospital, the hospital learns nothing, and when you don't cut the hospitals' budgets, they go on spending the same as ever.

I suggested to you, while speaking on health cost restraints, that you should implement an OHIP card similar to a credit card for the people in Ontario so that doctors can't make a bill for you unless you are there and able to run it through a machine. The way it is now, all they have to do is have a record of your number and then you can be billed any day of the week. I am not suggesting that doctors are doing this, but no doubt some of them are. With the credit card system, you would know that nobody was billing you if you had the card.

Another suggestion was that a small fee be charged to the patients using the system.

I would like to know when you are going to implement some of these suggestions.

I don't want to thrash old straw either—being a farmer, I learned a long time ago that it's futility in doing such—but the government is doing just that when it makes an application to appeal a court decision that said it acted wrongly in its decision to close the Durham, Chesley, Clinton and Doctors hospitals.

I might say that the newly formed Grey-Bruce health council was very surprised that you still seemed to have a hard-nosed approach to hospital closings when you met with them in Owen Sound a few days ago. Why you did not take the decision of the courts as final is hard to understand. If the government appeals and loses the appeal, and brings the question before the Legislature, it will have to learn the hard way that its actions are not only illegal, but are not supported by the majority in this Legislature.

**Hon. F. S. Miller:** I have answered the credit card issue twice today, and I think the answers are in the record.

The question of deterrent fees has been discussed many times. I am told by experts it doesn't work. I reserve the right to change my point of view on it because I have always felt it might.

On the question of a hard-nosed approach in Grey-Bruce, I have talked to a lady who is on the council from Durham and she literally hit me—she didn't just almost hit

me—supposedly in good will, but I must admit that when she pats you on the back it's not easy. I made a very clear statement, and I'll say it here again, because I don't say things in private I won't say in public. I believe, first of all, that we had the right and the duty to appeal the lower court decision to a higher court. That is normal in the procedures of justice. If we win this one, I'm sure the hospitals will feel they should appeal, and I said that earlier today. If we lose at that point, I, as Minister of Health, could not stay in my job if my government was not willing to bring in legislation.

**Mr. Deputy Chairman:** I understand that there has been some consultation and agreement between the House leader and the whips that the Liberal members will conclude their comments by 5 o'clock. The hon. member for Erie.

**Mr. Haggerty:** Thank you, Mr. Chairman. I can't see the clock from here. A look at my watch says I've got five or 10 minutes to 5.

**Mr. Laughren:** Stop wasting time, Ray.

**Mr. Haggerty:** I was interested in the comments of the leader of the Liberal Party this afternoon concerning the Browndale operations here in Ontario and, in particular, as it relates to the audit. I was most interested in the information that was given to him by the minister as it relates to the per diem rate for the care of the youths at this particular institution of \$65 per day. I thought that was rather high in comparison to the Durham Hospital, as I understand the per diem rate there is \$70 and you're getting nursing care 24 hours a day.

It just seems there's no justice in the system here. Perhaps the leader of the Liberal Party was right in asking for a complete review of the operations of Browndale. I suppose if one looks at the figure of \$65 a day, for a youth to be in that institution for perhaps one year would cost almost \$25,000 a year, and that raises a question.

I have a newsletter from concerned parents in the Niagara Peninsula about the facilities at the Niagara Centre for Youth Care, and that deals with the emotionally disturbed child or student or youth in the area. It's a letter from D. N. Teasdale of the Ministry of Health, directed to Dr. G. M. Poulakakis, chairman of the Niagara Centre for Youth Care at St. Catharines, Ont. The letter goes on to say:

Thank you for your letter of March 8, 1976, regarding the Niagara Centre for Youth Care. I am responding to your in-



quiry on behalf of Mr. Chatfield, assistant deputy minister, who is out of the city and in my new capacity as general manager of the direct services division.

I have conferred with Doug Finlay, director of the children's mental health services branch and he has strongly reaffirmed his support of your proposal for a teenage service system in the Niagara region. Unfortunately, the Minister of Health has been subject to rather serious financial constraints and I regret very much that all expansion plans in the children's mental health sector have had to be curtailed.

[5:00]

I find this letter rather disappointing. If there was ever an area that needed additional facilities dealing with mental health services, it is the Niagara region. When I look at the picture that's presented here this afternoon in the Ontario Legislature, that it could cost \$25,000 a year to look after a youth under the Browndale system in Ontario, I would have to question that most sincerely. There must be something wrong with the operations there. That \$25,000 would go a long way to help in the Niagara region with a centre there, which is lacking. Thank God that we have had LIP grants that provided assistance in this particular programme in the area. But I say this much, there is definitely a need in the Peninsula for additional health care services for the youth of the area, particularly those who want to go to a centre for perhaps two or three hours a day or something like that. I mean people who really need help, mental help. I find that there is very little in services that are offered to them today. I would appreciate if the minister would take into consideration some of the suggestions that I have presented to him this afternoon and provide the Niagara Peninsula with additional funding.

**Hon. F. S. Miller:** Mr. Chairman, first of all we had approved in principle the Niagara programme, but I wonder if the member knows that the original budget was in the order of \$1 million a year.

**Mr. Haggerty:** That was for a new centre.

**Hon. F. S. Miller:** That was the annual operating budget.

**Mr. Breithaupt:** I have a number of items I would like to review briefly with the minister and I will take about a moment for each of them.

First of all, with respect to the matter of podiatry services. I am wondering if the

minister can now advise us when we might expect to receive the new and comprehensive Act which has been promised to the podiatrists operating in Ontario. I understand that they are operating under the original Chiropody Act of 1944 and that at the present time there are a number of services which they are providing that, in fact, are much more expensive when done in hospital.

I had particular information with respect to some kinds of services, for example, where independent minor procedures are defined that show that services, in this instance for a bilateral ontoplasty, will be paid for at \$240 under the OHIP programme to a physician, but the same procedure which might well be less than \$20 within an office is not paid for. I am wondering if the minister can advise me when the podiatrists can expect to have new legislation which will enable them to provide services at much less expense than appears otherwise to be the case.

**Hon. F. S. Miller:** I think the member has obviously been spoken to by certain segments of the professional group. I am fairly familiar with this particular problem. I would think if you check the rates per hour in the health field no one is making the money podiatrists are. The podiatrists are really doing very well.

We have two categories of people qualified to provide health care—podiatrists who are American-trained; chiropodists who are British-trained; we have, in fact, just gone through the description of the scope of practice and I think it is no secret to say that it's our opinion that the podiatrists' training is in excess of that needed.

In fact, the services rendered by them are much more costly than the same services rendered by a physician. If one looks across the records and sees the assessments and the work performed by them, sometimes one wonders if everybody suffers from the same problem. They will come into a nursing home, for example, particularly in the border cities and go through it and sometimes make, I am told, as much as \$2,000 in an hour. You are aware of this, I am sure.

**Mr. Godfrey:** Why do you permit that?

**Hon. F. S. Miller:** Well, this is the way the Act reads right now, and this is one of the reasons why we feel that we have to provide more providers of health care for the foot, and it can be done at a much lower rate by those people who are called chiropodists. I assume that the new scope of practice which will be incorporated in the health disciplines bill as quickly as I can get it



there—hopefully in the fall—should define clearly who can do it, what can be done, what training is required, and a new rate structure would then evolve from it.

**Mr. Breithaupt:** Just two other brief matters. First of all, can the minister advise us of the response that he has made to the letter from the physiotherapy association with respect to the rate structure and situation in which they find themselves? The information we had received, as members, was that the fee level has been held at the same for the past 10 years. No applications for opening new practices had been granted and the billing privileges could not be transferred. At least, that is the information which came from Miss Jean H. Scott. I am wondering if you can give us any update as to the current situation with respect to physiotherapy?

**Hon. F. S. Miller:** Again your sources of information are giving you some truths and some not-so-truths. First, the rates have been changed at least three times that I know of in the last four years. Okay? They were, as I recall, about \$3.25 per service rendered—\$3.45? They're \$5.45 right now—a difference of \$2 or 60 per cent.

Secondly, we haven't licensed any fee-for-service physiotherapists for the last while because we believe that's one service best given in a hospital under the direction of a doctor. I expect no argument from the member for Durham West on this one—

**Mr. Godfrey:** You can get an argument from me on any subject.

**Hon. F. S. Miller:** Then I'll clearly state my position. We are providing adequate services at a theoretical book value in the hospital. There's been some argument from the physiotherapists that the figure we use in the hospitals—which is \$5.55, and their figure \$5.45—give the hospitals an advantage. That is not true. We do not flow funds to a hospital at \$5.55. It's what we call offset revenue. It happened to be 10 per cent on \$5.05 which brought it to \$5.55, whereas the increase for physiotherapists in fee-for-service was eight per cent. All hospital services including physiotherapy theoretically went up 10 per cent this year for offset revenue purposes. It's a bookkeeping error that I am going to rectify before the year end, because I want the rate to be the same both for the fee-for-service or in hospital.

**Mr. Breithaupt:** The final point I wanted to review with the minister is simply the ex-

perience they have had with respect to dental procedures in hospitals since June 1. As I recall, the circumstances were such that the ministry felt that various dental procedures were being unnecessarily attended to within hospital. However some information that has come to a number of the members, and certainly a letter that has come to me from a dentist in the Kitchener area, has been that there are many procedures which are simply not being attended to now because the dental surgeons are far too busy for the work that has to be done. This dentist refers to a series of examples which I will not go into at this point, other than to remind the various members that the procedures which apparently are now in place are at least said to result in less work being accomplished. This is work that in fact should be done, and work particularly dealing with younger people.

Can the minister advise me his response with respect to how these procedures are working out and when he expects to have an overall view on this particular situation?

**Hon. F. S. Miller:** It's too early, of course, to tell what's happened between June 1 and now. I just don't have any data. I can say, though, that in the main the dentists agreed with the change. It was their feeling that under the old system there was a very real incentive for pressure to be put upon the dentists by a patient who insisted that a certain number of teeth or a certain number of procedures be carried out that would be insured if done in hospital. Often this involved removing teeth that didn't need to be removed. Dentists often did it because they knew that if they didn't, their neighbour would or they'd lose their patient.

In effect we still pay for hospital services, not the dental surgeon's services, where it is deemed medically necessary.

Vote 3002 agreed to.

**Mr. Deputy Chairman:** Before we start vote 3003, the Chair would like some direction. I have an indication from the caucuses that there are various members who would like to speak on the three items. Is it the wish of the committee that we take them in order?

**Mr. Breithaupt:** Mr. Chairman, there are a number of speakers, I realize, on this. However, we had the advantage on this last vote of having a number of our members speak one after each other. I think that that opportunity should be afforded to the New Democratic Party, under the direction of their



health critic. I presume that in the next 50 minutes or hour or so that can be attended to, so their members can get their comments in on this vote. Then we can agree to share whatever time is left over.

**Mr. Deputy Chairman:** Perhaps I should mention that I understand there's one member of the government caucus who might like to speak on this estimate, so we would have to alternate.

On vote 3003:

**Mr. Deputy Chairman:** Order, please. The hon. member for—

**Mr. Kennedy:** I think you put the question or asked the advice of the members should we take the three items together in this vote. That wasn't answered.

**Mr. Deputy Chairman:** Agreed?

**Mr. Kennedy:** Will we take them together?

**Mr. Deputy Chairman:** Agreed.

**Mr. Conway:** Give him hell, Floyd.

**Mr. Deputy Chairman:** Incidentally, we have one hour and 33 minutes left in this debate on the estimates of the Ministry of Health.

**Mr. Laughren:** Mr. Chairman, I'd like to spend a few minutes talking about the problems of occupational health in Ontario. During his leadoff, my colleague from Parkdale (Mr. Duksza) drew some pretty heavy lines between the government's attitude towards occupational health and our own attitude. I'd like to not only endorse his comments but expand on them a little.

My colleague made the point that occupational diseases are a class issue; that of course is true. I suspect that is one reason the government has such difficulty dealing with the problem. It must be very difficult for the Progressive Conservative cabinet ministers, in their aristocratic splendour, to understand what it is that a worker goes through when he's faced with the problem of health on the job. It must be very difficult for this minister even to understand what a man goes through when he's told that his employment is unsafe.

I'd like to give you a very brief example of a man who worked at the Reeves asbestos mine in northeastern Ontario, which just happens to be in the riding of Nickel Belt. I know this man very well. He was a member of the New Democratic Party, had been for

some time and knew why he was a member of the New Democratic Party.

When the Reeves mine closed, this man, in a moment of despair, frustration, anger and desperation in the local pub one night, took his NDP card out of his wallet and set fire to it in the hotel. There was great chuckling by some people when he did that. Of course, the reason he did that was that he saw the New Democratic Party as having cost him his job when Reeves asbestos mine was closed, because it could not meet the dust standards set down by the Ontario government.

I'm sure there are members of the government who will get some pleasure at that. As a matter of fact, the member for Algoma-Manitoulin (Mr. Lane) made what he considered mileage in Elliot Lake prior to the last election when he warned people that if the New Democratic Party formed the government in 1975, the future of Elliot Lake would certainly be cloudy. Well, that's the kind of shoddy politics that the province doesn't need.

I wonder if the minister can really understand what a man like that goes through when he's given that kind of choice—either to continue to work under unsafe conditions, go on unemployment insurance, go on welfare, try and find another job. When you have a family and you live in northern Ontario that's not always easy. Their options are extremely limited. Unlike the options of the minister or most of us in this chamber, the options of these people are extremely limited and they're faced with a Hobson's choice of not being able to win. A combination of free-enterprise exploitation for profit and government endorsement of that principle forces the workers to make a decision that none of us should ever have to make.

No single issue in my 4½ years in Queen's Park has so fortified my commitment to socialism as the whole question of occupational health. No other issue presents in such stark relief the underlying morality of the economic system in the Province of Ontario. Because we all know that if the costs were not so high, not so great, if the stakes were not so high, that the conditions could be cleaned up.

We know that the conditions at the asbestos mines could have been improved and could have been improved a long time ago. We know that both the government and industry would not have allowed those conditions to continue if the stakes had not been so high in terms of profits.

[5:15]

It's clear to us as well that the government's intention to co-ordinate the various ministries in a new accord is a wrong approach. Even putting the Ministry of Health in charge is the wrong approach. That indicates that the government still regards occupational health as the problem of identifying diseases or injuries and then trying to treat them. This perpetuates the emphasis on disease and on accidents rather than on prevention and ways to avoid these dangerous conditions from arising in the first place.

Surely we should be concentrating on occupational health as an engineering problem, and not as a medical one. That's where it all begins. And that is what my colleague was saying in his leadoff when he talked about the whole question of preventive care as opposed to curative care.

I am personally very much worried about the future of occupational health, not just in this jurisdiction, but in all others as well. I'm worried that we are going to continue to have a series of post mortems—such as we've had on asbestos, such as we've had on uranium, such as we've had on the coke ovens, the nickel sintering plants, and so forth. I can tell you, without fearmongering, that Sarnia scares the wits out of me. The petrochemical industry in Sarnia really terrifies me as to what the story is going to be in the years to come, because of the gestation period of the various cancers. We simply must have a major commitment on this problem from government.

We know that already other jurisdictions are ahead of us in the occupational health field. In the United States, the mining safety administration, which sets up and enforces standards for mines, already states that no new mine space can be developed until ventilation plans are approved. In Ontario, we tend to look at the problem and say: "Well, if there is dust there put on a respirator." Respirators are not the answer. Most people knew that a long time ago, and I'm not too sure this government realizes that.

In Great Britain, the Health and Safety at Work Act in 1974 had some very specific regulations in it. Each employer is required to produce written statements of policy on health and safety. The government establishes threshold limit values and a code of practice for each hazardous chemical. The industry must get approval for its code of practice and handling of toxic substances. And the government enforces both in-plant and out-of-plant standards. That's Great Britain's approach.

**Mr. Conway:** Sounds like socialism.

**Mr. Laughren:** I was going to tell you about the Saskatchewan government's approach to occupational health, which my colleague mentioned as well.

There are three basic principles of a good occupational health model. I would like to suggest to the minister that he seriously consider it and that he implement this in Ontario, rather than this accord he talks about. We've already seen how the accord works—plain and simply it doesn't work. In Saskatchewan there are three basic principles.

The first is the consolidation of responsibility for all health and safety matters within the occupational health and safety division of the Department of Labour.

I think it is important that it is in the Department of Labour there, rather than the Department of Health, because they, too, see it as a problem of prevention, not of cure.

There is also the mandatory establishment of a joint employer-employee occupational health and safety committee at every work place where there are 10 or more persons employed—I would refer the minister to the private member's bill introduced by my colleague from Sudbury East (Mr. Martel). These committees were given the primary responsibility for identifying and solving health and safety problems in the work place. This government hasn't done anything about that.

The third principle is that an employee may refuse to work under conditions he believes might be dangerous to his safety or health. Surely, that right should be basic. That should be a civil right in the Province of Ontario.

What is so crucial about the Saskatchewan plan is the involvement of the workers themselves. In Ontario you can bet your bottom dollar that this government will never ever see that.

I wonder whether the minister understands that he cannot possibly hire enough inspectors to conduct the inspection across Ontario. You can't do it. And as long as you are saying that it is government inspectors who must carry out the inspections, you are going to always be faced with a backlog; you are always going to be under fire and suspicion.

**Hon. F. S. Miller:** I don't say that.

**Mr. Laughren:** You stood up one day and said that you would hire these new people in the ministry. It was the same thrust as previously with occupational health.



The workers are right there in the work place. They can identify the problems; they can bring them to the attention of the occupational health ministry, or the particular ministry that is responsible for occupational health. And, probably more important than anything else, the workers have more at stake than any government inspector ever will have. I don't know what more you could ask than that the people who are doing the inspecting have a great deal at stake.

So once again it's a class distinction and this government just cannot seem to bring itself to believe that workers can be perceptive, intelligent, honest, and even objective. You don't believe that, do you?

**Hon. F. S. Miller:** Mr. Chairman, I just have to interrupt here because the idea that somehow I come from one class and you come from another class is absolute baloney.

**Mr. Laughren:** It is not baloney.

**Hon. F. S. Miller:** My father got to grade 2; that's it, period.

**Mr. Martel:** It is your government.

**Hon. F. S. Miller:** I am the one member of the family who got to university by my own hands.

**Mr. Duksza:** What has that got to do with it?

**Hon. F. S. Miller:** I am tired of this talk about class versus class. You have as much responsibility in this as I have. I don't want a class confrontation in resolving this problem, and as long as you fellows try to manipulate the workers—

**Mr. Martel:** Oh, no, we're not.

**Hon. F. S. Miller:** —that way you will have a confrontation between management and labour. I agree with you, the best guys on the job to help us are the workers. Let's enlist them.

**Mr. Martel:** Bring forward my bill then.

**Mr. Laughren:** Mr. Chairman, it's interesting to see the Liberals applauding the minister when he decries the presence of a class system in the Province of Ontario, and I ask him to explain how it is that only the working class in Ontario suffer from occupational health diseases and accidents? How does he explain that? Is it a coincidence? Besides, I am not talking about the minister, I am talking about the government he represents.

**Mr. Conway:** Frankly, I think that stuff annoys him.

**Mr. Laughren:** Well, I know the Liberal Party doesn't like to think about things that way. As for the minister's suggestion that we are manipulating the workers in Ontario, I find that most offensive, and it is just a way of avoiding the whole problem of occupational health.

**Hon. F. S. Miller:** Are you saying I am?

**Mr. Laughren:** You know what it's like saying? It's like the Minister of Labour saying that the workers in Ontario are using occupational health as a bargaining tool. I want to tell you something, if the government of Ontario did the job they would never have to even have occupational health on the bargaining table. But you don't let them do that. You make them bargain for it. You make them fight for healthy working conditions. That should be their right, it should not be something they either have to bargain for or that they have to come on their knees to the Legislature for, and yet this minister doesn't seem to understand that.

**Hon. F. S. Miller:** I understand it very well.

**Mr. Martel:** Do something about it then.

**Hon. F. S. Miller:** We have done more than any other government ever has.

**Mr. Laughren:** Well, you know, you talk of—

**Mr. Martel:** Oh, in Ontario, but that doesn't mean very much.

**Mr. Deputy Chairman:** Order, please.

**Mr. Laughren:** Well, Mr. Chairman, the minister agrees that the workers know more about problems on the job and have more at stake with occupational health. Why doesn't he implement the worker committees, with 50 per cent representation by workers, and 50 per cent by management? How can he sit there and say that we don't have a class system and that the workers are the victims of that class system, when we have the examples of the Reeves mine, Matachewan, Elliot Lake, the sintering plant in Sudbury, the Johns-Manville plant in Scarborough? How can you say that?

And you know what, there was even a separation of the drinking water at Elliot Lake. Now if you can tell me how that's not a class system, then you are going to have

some long explanations to give us. Every time I think of the mines in Ontario, and I think of the Ministry of Natural Resources, I really have difficulty being civil.

**Mr. Hodgson:** They are doing a great job.

**Mr. Laughren:** I tell you something, I am glad you said that, because the Minister of Natural Resources (Mr. Bernier) is not doing a fine job.

**Mr. Hodgson:** Yes he is.

**Mr. Laughren:** I want to tell you something, the Minister of Natural Resources manifests everything in Ontario that is stupid about occupational health, and everything that's on class lines, which the Minister of Health so strenuously objects to.

**Mr. Kerrio:** You just drove the minister out.

**Mr. Laughren:** Do you really think it's a coincidence that Elliot Lake, the Reeves mine, Matachewan, the sintering plant, all fall under the jurisdiction of the Minister of Natural Resources? Do you think it's a coincidence?

**Mr. Hodgson:** Do you think we should shut them all down?

**Mr. Laughren:** Do you think it's a coincidence that the ministry had access to all those dust counts and exposure figures for years and did absolutely nothing about it; didn't tell the workers about it, didn't tell the union about it?

**Mr. Martel:** Didn't clean up a damned thing.

**Mr. Laughren:** They didn't clean up anything until they were politically embarrassed about it. That's the height of political cynicism. I am glad that the member for Algoma-Manitoulin is here, because he has been a party to it.

**Mr. Conway:** Did Steve Roman not give you money for your campaign?

**Mr. Laughren:** No, I am glad to say he didn't.

**Mr. Lane:** On a point of privilege.

**Mr. Deputy Chairman:** Would the hon. member state his point of privilege?

**Mr. Lane:** The NDP would not even allow the ministers to tell the people at Elliot Lake what we are prepared to do for them when we went there a year ago last summer. They

have no room to talk. I have done more for Elliot Lake than all those people put together.

Interjections.

**Mr. Martel:** That's right.

**Mr. Deputy Chairman:** Order, please. The hon. member will continue.

**Mr. Kerrio:** I believe that.

**Mr. Hodgson:** They don't have to do much either.

**Mr. Deputy Chairman:** Order.

**Mr. Laughren:** I would like to make a couple of comments about Elliot Lake because that's the place where at least 41 miners have died of lung cancer and more than 150 are suffering from the effects of silica dust. The Minister of Natural Resources had readings of exposure to dust and radiation which were never ever revealed to the miners.

**Mr. Martel:** That is your government, John.

**Mr. Laughren:** Tell me how you justify that? There is no justification for that at all. It demonstrates a morality I cannot bring myself to say any more about.

**Mr. Lane:** You fellows think that everyone within a radius of a few miles of Elliot Lake has silicosis.

**Mr. Conway:** Is it immoral for them?

**Mr. Laughren:** It demonstrates the morality of a clam.

At Matachewan, workers were allowed to work in dusty conditions for seven months despite Ministry of Natural Resources inspectors' reports citing the dangers of the dust—for seven months. Given the history of asbestos in the United States, how in the world could the Ministry of Natural Resources sit on those reports without doing anything about them?

**Mr. Duszta:** And the Ministry of Health.

**Mr. Laughren:** And the Ministry of Health, the occupational health branch?

**Mr. Martel:** That's with Bernier.

**Mr. Laughren:** It really is a sad tale. At the Reeves mine—probably the saddest tale of all is at Reeves mine—the ministry took readings or dust counts for eight years and never told the workers how high they were although the readings were as high as 40



times the level accepted by the Ontario government.

I would like to say a word about the levels because they are really mind-boggling. The level of acceptance in Ontario is two fibres per cubic centimetre of air. At two fibres per cubic centimetre of air, in an eight-hour shift a worker would breathe in 16 million fibres.

If the count was 225—there was a dust count at Reeves mine in which there were 225 fibres per cubic centimetre; I am using the top count deliberately—the worker would inhale 1.6 billion fibres in an eight-hour shift. Once those fibres are in the worker's lungs, they never ever leave. The Ministry of Natural Resources knew that.

There could be no excuse for that kind of negligence. I wish a class action for criminal negligence could be brought against the Ministry of Natural Resources, the minister himself, Rio Algom, Denison, Johns-Manville and United Asbestos because they all had to know. Their own standards were being violated so they all had to know.

With uranium, since 1926, the experts have known the dangers of uranium mining from both silica dust and uranium exposure.

At Elliot Lake, the silica dust readings were exceeded as late as 1974 and between 1958 and 1974, I think it was, of the 120 silica dust readings at Rio Algom only two were below the recommended level. At Denison, only eight out of 202 readings were below the recommended level. That was in 1974. Between 1958 and 1974 dust levels never once averaged below the 200 particles per cubic centimeter of air. That standard was set by the industry itself.

You have a situation in which the industry itself sets the standard and then exceeds it continually on an average from 1958 to 1974. The government knew but never told the miners. That's the kind of negligence which simply cannot be tolerated.

[5:30]

The Minister of Natural Resources is supposed to be the steward of the resources of Ontario. I would just say to this minister, while it is not his responsibility, thank God that no more authority is moving into the Minister of Natural Resources' field, because to have sold out our natural resources is one thing, but to sell out the workers is an entirely different matter.

I am sorely tempted to talk about the role of the Workmen's Compensation Board, but I will restrain myself. I will just say that they are another shining example of inepti-

tude. They have tended to act as a buffer between the workers and the companies, and that's a sad commentary on the Workmen's Compensation Board. Sometimes I think if it weren't for the Workmen's Compensation Board, the resource corporations in this province would be in court continually defending themselves against criminal actions. And when I hear the Minister of Labour (B. Stephenson) stand up and make the kind of fatuous statement she made today about the Workmen's Compensation Board, I hate to say it but it really does turn my stomach, because we have had too much exposure to the Workmen's Compensation Board and the heavy-handed, ham-fisted way that they conduct themselves.

I would like to make some very specific recommendations on occupational health. I would say that the minister could start by looking at the Saskatchewan model, which is what at least some of these recommendations are based on. No. 1, there should be workers' committees in all places of employment where there are more than 10 employees and, as well, training courses should be set up.

**Mr. Haggerty:** You wouldn't support my bill. You turned it down.

**Mr. Laughren:** No. 2, the workers should have a right to refuse to work in conditions that they regard as being unsafe. No. 3, there should either be a separate ministry of occupational health or it should come under the Ministry of Labour. No. 4, the threshold limit value concept should be very closely examined. Certainly as it relates to asbestos, the threshold limit value should at least be down to one now, but I can tell you that I don't like the whole concept of threshold limit values because, as sure as shooting when you get down to two, then the companies stop looking for ways of making it better. There is a report from the Health Policy Advisory Centre in the United States about threshold limit values—and I think the minister would be well advised to heed this; it's talking about lowering the threshold limit value for asbestos from five to two:

There is no assurance that workers will stop dying from this level of exposure any more than they stopped dying when previous levels were lowered. There is no scientific evidence to suggest that two fibres per cubic centimetre exposure is not hazardous to the health of workers. Indeed, many experts believe that the only safe level of exposure is no exposure at all.

That really should be the goal of anybody working with occupational health in Ontario.

No. 5, we should adopt the Great Britain model, which requires that when new products are introduced, the companies must indicate how they are going to handle them, particularly toxic substances.

No. 6, there should be a research institution established along the lines of the National Institute for Occupational Safety and Health in the United States, and their reports should be made public.

No. 7, we need a combination of incentives and fines for industry to make sure they do adhere to the new rules.

And, No. 8, there should be proper compensation and rehabilitation. Despite the comments of the Minister of Labour, rehabilitation in Ontario is a joke. How would you like to lose a foot and get compensated at 25 per cent of 75 per cent of your pre-injury earnings? Imagine a construction worker getting a foot chopped off and then being put on a pension of 25 per cent of 75 per cent of his earnings. What could be more ludicrous than that kind of compensation?

The Minister of Labour has the gall to stand up and say that we have a good rehabilitation and compensation system in Ontario. It truly is a joke.

In the final analysis, the problem of occupational health is indeed a class problem. Workers are suffering from industrial accidents and diseases while our health system concentrates on more other middle-class problems. Only when we allow workers to control their own work environment will we make meaningful strides. You as a government will not make those meaningful strides, because you don't believe that workers should have that right. Also, safe working conditions are not something that should be bargained. Safe working conditions should be a right.

I would like to say a few words about health care in northern Ontario, which comes under this vote as well; I will try and be very brief.

[There was a report done by the Ministry of Health on health policy for northwestern Ontario and a review of the northwestern Design for Development: Phase 2. In that report they are very specific. I want to tell you that there's a heck of a difference between the contents of that report and the contents of the northeastern Ontario regional strategy which was published. One dealt with the northwest; the other with the northeast,

but this was a working paper. This was for public consumption. This became a political document, a highly suspect political document. The report documents the shortage of health care in northwestern Ontario and I have no doubt but that the same applies to northeastern Ontario having some experience in that way myself. The report indicates that there is a shortage of doctors, dentists, nurses, chronic hospital beds, psychiatric hospital beds and nursing home beds.

Using the statistics, using a physician-to-population ratio, the provincial average in 1973 was one for every 595 persons. In Algoma it is one for every 968; in Cochrane, one for every 1,100; in Sudbury, one for every 1,085; Thunder Bay, one for every 774; Timiskaming, one for every 1,013; Manitoulin, one for every 1,816; and in Kenora, one for every 1,206. In Toronto, I might add, it is one for every 438. That's physicians.

For dentists, the provincial average is 42.67 dentists for every 100,000 population. That's the provincial average. In Algoma it's 25.62; Cochrane, 20.9; Sudbury, 22.78; Timiskaming, 19.31; Manitoulin, 18.35; and Kenora, 22.60. In York it's 55.75, or twice as many as any region in northern Ontario.

[That's the kind of health service we have in northern Ontario as implemented by this government and I suspect that these figures underestimate the problem in the smaller, more remote communities. It is time the government realized that the physician model is not sufficient for small communities in northern Ontario. Why don't we get into the paramedical field? Why don't we train nurse practitioners to work in the small communities? Why don't we have some more clinics—dental and health clinics—to travel across northern Ontario? Surely that's not asking too much.

Once again I don't like to criticize without giving you some constructive alternatives. I know the minister is waiting for that. This is what we would do and what we suggest you do in the interim period while you are looking after the affairs of the Province of Ontario:

1. Priorities to be placed on training primary-care workers who are committed to working in non-urban centres. These workers may not be doctors.

2. Both McMaster and the University of Toronto should be encouraged to expand the programmes of visiting specialists with an emphasis placed on using the same group as regularly as possible to improve continuity of care.



3. The province should be willing to undertake to build and staff some primary-care centres in the north and perhaps several, using different combinations of personnel.

Again the development and use of alternative primary-care workers, both medical and dental, is essential. Those are some of the things that we think you should do to improve conditions in northern Ontario. We know, for example, that there are some communities that haven't had a dentist visit them for as long as seven years.

Finally, and I know I am taking up too much time, the Ministry of Health has a task force on mercury poisoning. I would just like to suggest to the minister that he implement at least the three—well, more than that—but the three recommendations in chapter 10 of that report the task force did. It has to do with fishing. This is to do with the Whitedog and Grassy Narrows reserves:

1. Fish from the Wabigoon and lower English River systems not be used for human or animal food.

2. It is recognized that the most effective method of achieving recommendation 1 is to close the waterway to all forms of fishing. In particular this would protect the fishing guides who are the population most at risk.

3. The commercial fishery remains closed in the English-Wabigoon system until the mercury levels in the fish reach acceptable levels from the health viewpoint.

There are other recommendations but a lot of them deal with the responsibility at the federal level of government. I'd sure like to know from the minister, not only in response to the question on occupational health, but also when can we expect an announcement as to what he intends to do about the fishing in the Grassy Narrows-Whitedog reserve area?

Thank you, Mr. Chairman.

**Hon. F. S. Miller:** Mr. Chairman, I'll try to be brief, because I know there are a number of other speakers on that side of the House who'd like to talk to me about this programme.

You and I have the same goal, and if you're sincere I think we can do a lot toward resolving some of the occupational health problems. I do sincerely want to remove them from the political arena and from the class arena, and I say that with every bit of sincerity I can muster. Look, I've worked in those kinds of plants, therefore I'm not unaware of the problem.

I have a son right now in one who has to wear earplugs, masks and special protective

clothing to keep the dusts and the hazards away from him. And that's not in this province, it's in another province where I can tell you from having visited the plant—it's BC—the risks are a lot worse than they are here. A lot worse. I have a son who's a farmer, and I don't know how you put that in the category of classes, but they're certainly at the low end of the income scale.

I'd like to put the thought, though, that it's a three-way problem rather than a confrontation. Government has a role to play, labour and management have a role to play, and all three have to work together.

**Mr. Haggerty:** You'd never know it.

**Hon. F. S. Miller:** I do not like the fact that the current regulations, I believe, prevent me or even the Minister of Labour at times from divulging test results without the consent of the companies, and I think both she and I are agreed that full disclosure of hazards is the first step toward confidence, the first step toward getting co-operation between the workers and the management. They need to talk about mutual problems. If they don't resolve it, both sides lose. It's not only the health of the worker, which is critical, but in this day and age you know we'll be forced to move to eliminate job opportunities if those problems aren't resolved.

So I can only say that just as the Advisory Council on Occupational and Environmental Health contains an equal number of management and labour people and I believe is working sincerely to set the standards and to look at the problems we have from our ministry's point of view, so I can see that the workers' committees and the management committees in the long run may be the way to resolve the problem. I'm not going to argue with you at all.

**Mr. Laughren:** Would you permit a question?

**Hon. F. S. Miller:** Sure.

**Mr. Laughren:** Did I understand you correctly that the regulations of your ministry—your ministry's regulations?

**Hon. F. S. Miller:** No, not my ministry.

**Mr. Laughren:** Which one?

**Hon. F. S. Miller:** The Ministry of Labour.

**Mr. Laughren:** The Ministry of Labour regulations prevent the release of data without approval from management?

**Hon. F. S. Miller:** Yes. Right now—

**Mr. Laughren:** Incredible.

**Hon. F. S. Miller:** Somebody can clarify it for me. The Minister of Labour and I were talking about this outside the House here today and she has discovered—I think she can release them. Is it the chief inspector in her ministry? Yes, the chief inspector in her ministry can make a discretionary decision, so I should say I'm wrong on that point. I can't release them. Labour can. Okay?

But the tradition has been, I understand, to request that the information could be made public. Of late, we've not been following that procedure, as you probably know. We've been divulging information at United Asbestos and other places as soon as it became available to us or the Ministry of Natural Resources.

But, no matter what, I think it's critical that full disclosure of test results be made. I don't think you'll have the confidence from the working place until you do that. I also think that one has to be as impartial and as scientific as one can be in appraising the risks involved in working in a given atmosphere.

You talked about the two particles of asbestos versus the five. Ontario did accept two particles per cc and you know the States hasn't. The States is still at five.

[5:45]

You say Dr. Selikoff or some other authority has claimed that there's no evidence that two ccs is safe, and quite properly you quote an astronomical number of fibres inhaled per day. What you forget is an equally astronomical number are exhaled or caught within the systems of our bodies and, therefore, don't get to the lungs. What you forget perhaps is that the two particles per cc standard was based on a scientific study that certainly good authorities looked at. I believe it was a British study, I believe it was in 1968, and I believe it showed that workers working in that kind of atmosphere for a 50-year period of time had a one per cent chance of contracting asbestosis. Does that sound right to you, doctor?

I would suggest to you one has to relate that risk of a one per cent chance. Dr. Selikoff has the right to disagree. I'm only telling you that the weight of scientific evidence accepted right now and being reviewed by our advisory committee says that study appears to be valid. There's no study insofar as I know that talks about the 0.5 level.

What may not be admitted too often is that we haven't got a documented case that I know of of cancer of the lung in an asbestos

worker where the worker wasn't a smoker. This is one of the things we have to stress over and over and over again—that cancer of the lung, in certain work sites like the mines and the asbestos plants—

**Mr. Duksza:** That's not true.

**Hon. F. S. Miller:** All right, I'm only making a statement and I'm not claiming to be categorically correct. I am told it is correct.

**Mr. Moffatt:** It's not right.

**Hon. F. S. Miller:** I'm qualifying it, and as long as I qualify it I think that's fair. The information I have says it. Please, bring me your counterproofs, okay? I'm willing to look at them. That's all I suggest to you.

Let's tackle this thing not as you against us. We are not opposed to you. We are doing something about this better than most areas. It's great to talk about Saskatchewan—Saskatchewan doesn't have the industry we have up to date.

**Mr. Haggerty:** In comparison they do.

**Hon. F. S. Miller:** They're also, by the way, making major cuts in their health programme this year—something which people don't seem to talk about on that side of the House too much.

You talked about the north and quoted figures on doctors. We admit the north is under serviced, and you know we've done a pretty good job of attracting doctors to that area. The fact remains though that Toronto has a very high concentration of highly trained specialists. I would say the ratio of GPs to the population needs to be somewhere in the range of 1,200 or 1,300 persons per GP. If you use that as a round figure that's not too far off, and that's including all the doctors in the area, not necessarily just the doctors working full time at practice. And when one allows for 10 per cent or 15 per cent of the physicians in Ontario who probably aren't in full-time practice, the ratio would probably be closer to 1,500 people per GP in a normal serviced area.

There should be roughly one specialist for every GP in the province. We say 55 per cent GP and 55 to 45—45 per cent specialist—is the desirable ratio. That doesn't mean the specialist must be in the area where you did your head count, as long as you understand that. So, a one to 1,300 ration or one to 1,500 ratio of people per physician where that physician is a GP isn't bad.

You referred briefly to nurse practitioners programmes and paramedical programmes. We have a couple of them going. I would



say to you that our biggest problem is not so much to get more nurse practitioners but to get a better distribution of physicians within the province, and that's what we want to aim at. We already have more physicians than we need in total—we just don't have them in all the localities.

**Mr. Laughren:** Never can get physicians—

**Hon. F. S. Miller:** You know, I went and opened a clinic in the smallest community in Muskoka last Saturday—the village of MacTier. You know it, I'm sure—it's on the CPR main line. It's a community that hasn't got much of an economic base of any kind, I think you'd agree. It's got more poverty perhaps than most of the Muskoka communities, and none of them are rich in terms of average income.

**Mr. Laughren:** Is that your idea of a remote community?

**Hon. F. S. Miller:** I'm not talking about it as remote, I'm talking about it as a small community that's perhaps 30 miles from Parry Sound. It's probably 40 miles from Bracebridge, and those are the two hospitals to which it can relate. It was one of the last ones for us to designate for medical services. I was there helping them open their new medical clinic and meeting their new doctor last week. It's got to the point where south of the French River we really don't have a shortage any more. North of the French River we have enough doctors in training or committed to fill every designated need right now.

Dental problems are a little different. We are short of dentists and we are going the parodontal route. We are training three categories of technicians to multiply the effectiveness of the dentists as they graduate, rather than increasing the number of dentists to supply all our needs. The service will be better and I think cheaper in the long run following that route.

**Mr. Laughren:** For just a second, could I ask the minister if he intends to make a statement, and when, on the problem of fishing in the Wabigoon?

**Hon. F. S. Miller:** I'm sorry. I didn't mark the note down and I should have at the end there.

You know I rushed this out today and, if you perused it, you'll see that there are still editing errors in it. We didn't try to say that every word in the final printed version

would be the way it is. We felt that this was the best form for discussion, albeit on short notice. I have to tell you, my staff had to work miracles to get it here today.

We're going to take seriously the recommendations here. They fall under the three main types. First, the dietary problems of trying to educate the Indians to eat other than fish as a part of their diet, or a bigger part of their diet. The federal report of a week or two ago stressed the problems in this.

The second thing is the study that we need to perform to see whether, in fact, we have a serious problem or not. I think the report categorically says: "No single case of mercury poisoning has been diagnosed yet." But it qualifies and says: "Indians in that area have mercury levels in the blood in the range of people in Iraq who exhibited some of the symptoms of mercury poisoning." We say there is a risk therefore we should, obviously, make sure that the people at risk limit their overall intake of mercury. The report goes on to point out that it's not the quantity of mercury in a given fish that matters but the total amount you ingest per week. So you might be talking 0.5 fish and still be eating enough to cause the problems to the individual.

I don't think we would carry out the study, albeit that I would recommend it and I'm sure our government would recommend it, until we felt we had the understanding and co-operation of the Indians. I think it's essential to talk to them and the federal government before doing it.

**Mr. McClellan:** You're going to have to win that.

**Hon. F. S. Miller:** I understand that. I understand that you would have to win it back too. It's not a bias against the Conservative government or the Liberal government. It's a bias against the white man, and a very understandable bias. We have to work to resolve that.

**Mr. McClellan:** You should close the fishing.

**Hon. F. S. Miller:** Just a second. May I please talk?

**Mr. Deputy Chairman:** Order, please. We're running out of time.

**Hon. F. S. Miller:** As far as closure of the fishing goes, I would endorse it in a second if, in fact, we can break the lifelong habit of the Indians who net the pickerel in the

river and eat it. That, to me, is the key thing. Will we really stop them? I'm pessimistic because we haven't succeeded in breaking any of their other lifestyle habits yet.

**Mr. Laughren:** Despite all our efforts.

**Mr. Deputy Chairman:** Order, please. Before we continue on this vote, I should draw to the attention of the committee that there are still 50 minutes left for debate on this vote. We have the following members who have indicated they would like to speak: The hon. members for Durham West, Sudbury East, Mississauga South, Niagara Falls, Brantford, Wellington South and London North.

**Mr. Mancini:** Also Essex South, Mr. Chairman.

**Mr. Deputy Chairman:** Those are the only names that I have here so far.

**Mr. Mancini:** On a point of order, Mr. Chairman.

**Mr. Deputy Chairman:** The subsequent chairman who will be taking over right away can add as time permits. The hon. member for Durham West.

**Mr. Godfrey:** Thank you, Mr. Chairman. I will not comment upon the absolute futility of having to discuss a budget of \$3.6 billion in the course of six hours. I will comment that I'm delighted to see that the Minister of Health has become converted and with all the fervour of a sinner converted he is now indulging in exercises which he didn't do before. I presume he will now be thoroughly entranced with rehabilitation and will be able to carry out some of his commitments which he has made to previous statements with regard to rehabilitation and prevention of diseases. I congratulate this sinner who has entered the fold and welcome him to the exercise class.

**Hon. F. S. Miller:** I hope you do it every day.

**Mr. Godfrey:** Of course, I get my exercise fustigating the minister, sir.

**Hon. F. S. Miller:** That is a word you used in my riding.

**Mr. Godfrey:** Yes, sir. Fustigating is an old practice which was indulged in in medicine. There was a recent case in Ontario. When a doctor wished to treat some patients he used literally to beat the devil out of them and I propose to do this with the minister, sir. All in the aims of therapy.

I do hope that he will also join with us in protecting non-smokers and their rights because this is preventive medicine, and when the bill is introduced by the Ministry of Health, I can assure him we will support it without any qualms.

Interjection.

**Mr. Godfrey:** I would hope, sir, that your commitment to rehabilitation in this area will also include other points. I must say, Mr. Chairman, I am constantly bemused and irked by the attitude of the minister who is such a reasonable fellow and by his very reasonableness implies that there are nothing but young turks on the other side of this House. I can assure the minister that if he remains reasonable in what he does, besides his acts, he will find the members of this side of the House equally reasonable.

If he will bring in effective legislation which will bring Jerusalem to the satanic mills, I can assure him that we will cooperate and we will applaud him. But let us see by his actions that he is as reasonable as he is with his words.

Proceeding from that, I would point out that we have been reasonable in our requests, that we have asked for a reasonable programme of rehabilitation in the province, which means that the advisers to the ministry will be the kind of people who have expertise in rehabilitation. His whole rehabilitation section as yet does not have sufficient advisers with input as specialists who work in rehabilitation to be able to mount a programme which would prevent him from getting into the debacle with the member for Kitchener (Mr. Breithaupt) with regard to the physiotherapists' fees.

I will not belabour this because the hon. member for Kitchener has already mentioned it and you have already given a commitment that you are going to raise the \$5.45 fee to \$5.55. You have not given that commitment?

**Hon. F. S. Miller:** My commitment was that they both be the same.

**Mr. Godfrey:** I would hope that you would attempt in this class warfare to bring all classes up to the same level and give the private physiotherapists exactly what the hospital physiotherapy plants get as over-cost dollars. I would also hope that you would make it retroactive, as your committee promised, to Jan. 1. If you are going to reduce the hospitals to \$5.45 and coverage for out-patient physios, then I would hope you would also make that retroactive to Jan. 1. Then we



will see how long it remains that way after the complaints come in.

I gather it is now announced government policy that they want to wear down the private physiotherapy plants by a process of attrition. They will not grant any more licences except the licence which they granted in the Flemingdon Park physiotherapy operation which was an offshoot of Sunnybrook Hospital and has since become a semi-private operation. I would think that it would be fair to the private physio section to announce to them in fulsomeness and in the frankness and the reasonableness which you display in this House, that there will be no more licences and they can never sell licences and then we can have that firmly on the table.

**Hon. F. S. Miller:** Mr. Chairman, we are permitting, as far as I know, physio licence transfers, but we haven't been permitting any new licences. I'll double-check that, but that's my understanding, that is my deputy's understanding of our policy.

**Mr. Godfrey:** May I ask, are you permitting the selling of practices in the free-enterprise tradition of the Progressive Conservative Party?

**Hon. F. S. Miller:** I would assume there is a quid pro quo.

**Mr. Godfrey:** Well it's not very quo as far as the therapists are concerned, sir.

If I may move on from that, I would point out that in several other areas in rehabilitation there is still a good deal to be done and one applies particularly to the detoxification centres under the vote which we are speaking to at present. I would hope that the minister—I'm sure he is—is aware of the problems attendant on alcoholism.

[6:00]

I would point out that there is a certain amount of hypocrisy in our approach to the massive alcohol health problem. On one hand we are spending \$655,000 per year for posters, pamphlets and broadcast advertising as of last year—it may be increased this year—which promotes temperance or at least reasonable drinking. On the other hand, we realize it's a small fraction of the money spent by the alcohol industry to promote the consumption of its products and increase its products. While some companies are beginning to adopt campaigns for more moderate drinking habits, those campaigns will be effective only with the people who do not need them.

I would point out to you that I hope the Ministry of Health has been alerted to the

Hereford cow. As you know this is a new drink which is appearing on the market in the States; it will most likely appear here. It is milk which is adulterated with alcohol. For those who cannot stand the taste of alcohol, you can now buy a quart jug of Hereford cow which has Scotch or another type of alcohol added to it.

All of this is being done to promote drinking—cow's milk being almost as sacred as mother's milk which in our society still has a certain pre-eminence of virtue—and encourages the young drinker to get more into the drinking field. The question arises as to whether the purveyors of alcohol will not now expand their field. They have now got into the milk field and I imagine that in the very near future they'll be putting vodka in the ketchup and calling it "muddy Mary" or possibly in milk of magnesia which will be dispensed in order that it be more freely available.

I say these things without levity because the simple fact of the matter is that opposed to your \$655,000, which you are devoting to temperate drinking, there is a massive arrangement of funds which is being devoted to the worker particularly. It's aimed at the worker who is under stress, who is seeking a way out of his stress, to relieve mental pressures which are building up in his job. He is a person who is not going to have a reasoned approach to the use of alcohol.

What will happen to that worker? He will most likely end up in one of the detox centres for which you have budgeted \$2 million to prevent or try to stave off the downhill course which threatens workers who are at risk.

The United Steelworkers of America possibly has more effective programmes to prevent this trend toward alcoholism which we're seeing. This is called "lifeline" and I'm sure you're aware of it. It has been organized by the United Steelworkers and a counsellor in this area, Mr. Lloyd Fell, and Mr. Don Montgomery, the supervisor of the area, have done a great deal of work in the last five years to rescue workers who have become prone to alcoholism.

They have pointed out that a typical picture of a member who is at risk from alcoholism is that of a man between 35 and 45 years old with five to 10 or 20 years of company seniority. He's usually been a good employee, well liked by his fellow workers and management but has been drinking heavily for five to 15 years. The lifeline group can move in and give him support.

It is a curative type of support and it can be mobilized by this group and working in



close co-operation with Donwood and other organizations in the province, often these persons can be rehabilitated after it has happened. But there is so little going into the pot before alcoholism comes on, what with all the stresses, that I would urge you, as part of the Ministry of Health, to speak to your colleagues in cabinet to do something very soon with regard to the amount of advertising which goes on for alcoholic beverages.

**Mr. Conway:** Not to say anything about the parliamentary assistant.

**Mr. Godfrey:** The parliamentary assistant, of course, should be involved in that and I'm sure you can get his ear if you ask nicely.

The problem, though, with the rehabilitation of the alcoholic is there are only three or four major centres where this can be carried out. The Addiction Research Foundation offers a good programme as does Lakeshore and Whitby in my riding. There is a good programme there for the physical restoration and rehabilitation of the alcoholic. One of the major problems is that Donwood, which is an excellent centre, is funded only partially and the person who becomes an alcoholic finds suddenly that he's no longer covered by his OHIP insurance. The cost benefits at the Donwood centre are that while you're in hospital costs are covered by OHIP insurance and medical charges are also met by OHIP insurance. For continuing therapy, which is a very important part of the programme and is carried out by ARF, Whitby and Lakeshore, there is a cost of \$400 for two years which the person himself has to pay, in addition to which there is a \$50 orientation fee for individuals or groups which the individuals or groups have to pay.

**Mr. Minister,** the question I would put to you is why is there this cost differential? Why doesn't OHIP or other government agencies pick up that \$450, which is a large amount of money when it comes to a person who has had to have treatment for alcoholism and most likely has had his savings cleaned out? Why can that amount of money not be met by the normal government agencies?

Moving on from the consideration of the detox centres, I would like to move to another area in which I would put a question; namely, tuberculosis prevention, \$504,000 per year. I am concerned about the facts of morbidity which have been emerging during the past few years and I am sure are no stranger to yourself. As you know, there have been several reports with regard to the influence of immigration on tuberculosis in Ontario.

One of the more recent ones done by Ashley and LeRiche points out that there is an increasing morbidity in the immigrants who come to Ontario from high-incidence areas. Indeed, by 1971—and these are the figures that are given in this particular article—one out of five of all new active patients had come to Canada within the last five years, 90 per cent of immigrant and 84 per cent of recent immigrant cases were less than 45 years of age.

It was noted there was an increase in the foreign-born in recent forms of disease. On looking over the statistics there is a very high incidence of this problem concerned with new immigrants who come to Canada from Asia. The problem is that although the vetting services with regard to immigrants who are coming to the country are reasonably clear—am I in order, Mr. Chairman, you are looking at me very severely there—

**Mr. Chairman:** No, it's okay.

**Mr. Godfrey:** Oh, thank you. Once they have been cleared for tuberculosis there is no follow-up after they come to the province. In view of the fact that we are seeing an alarming increase in the morbidity associated with primary and secondary cases of tuberculosis in recent immigrants to Ontario—and this applies across Canada as well—certain recommendations have been made which I do not think have been followed by your department.

These recommendations are that there should be an adequate follow-up service for all people coming from a high-incidence area when they come into the province, particularly if they have tuberculin positive tests. This should be a programme which we would urge would be initiated immediately in order to decrease some of this morbidity.

I would move on the last subject which the member for Kitchener already alluded to; namely podiatric care. As you know, I have addressed several questions, Mr. Chairman, during the year to the minister with regard to podiatric care. The last one was on Jan. 16 when the minister was not present, but I had the pleasure of addressing it to the Premier (Mr. Davis). He replied: "I would be delighted to discuss this matter with the Minister of Health."

I presume he has discussed it with the Minister of Health. It dealt mainly with the amount of fees which are being charged by podiatrists. I was quite taken aback to hear the philosophy, and I would be happy to hear you expound it again, that if you provide



more podiatrists the cost of foot care will go down. Would you correct me on that?

**Hon. F. S. Miller:** I would gladly correct you on that. We have a demand for more people able to provide footcare. We don't think, in my opinion anyway, and I believe in the paper we are discussing, that it would appear to be necessary for them to be trained to the level of American standards, where they are taught certain surgical procedures that we think can adequately be done by physicians in Ontario, and probably done for less money by physicians in Ontario.

**Mr. Godfrey:** May I suggest, Mr. Chairman, that would be a good idea, but I think you are going to have to provide more physicians, because every person over the age of 50 has 10 toes and of those three out of 10 have corns. There's an awful lot of corns—

**Hon. F. S. Miller:** Corns are subcutaneous tissue, aren't they?

**Mr. Godfrey:** Yes, sir.

**Hon. F. S. Miller:** I think within the definition we will be permitting certain minor surgery of that nature.

**Mr. Godfrey:** Then you are going to provide more podiatrists to take care of the ailing feet of the geriatric population?

**Hon. F. S. Miller:** I like the word chiropodist better.

**Mr. Godfrey:** Well, chiropodist or podiatrist, I won't get into the trade warfare that goes on there. But I am surprised to hear you say that because when you provided more nursing aides it seemed we needed more nursing things done and the cost didn't go down.

When you are providing more physicians' aides, I suggest that possibly you will find the cost still goes up. When you provided more physios and physio aides, the total cost of physiotherapy care still went up. I am intrigued by your philosophy that you are going to be able to cut costs that way; however, I will be reasonable and await the results, which I am sure will come.

Going on from that, I am concerned about what it costs the older patient in Ontario to have his or her feet taken care of. I would point out to you, as you are very well aware, that OHIP subsidizes or pays the cost of the chiropodist for a certain amount of his care, and then the chiropodist is al-

lowed to overbill the patient on top of that. Indeed, a bulletin put out by the Podiatry Review Committee, points out that when chiropodists' services are being billed:

This committee [the one in charge of podiatry] is not concerned with gross fees or with any schedule of fees. It is concerned solely with fees billed to OHIP by podiatrists. Any other financial arrangement [and I underline that phrase] between podiatrist and patient is beyond the terms of reference or statutory duty or authority of this committee.

That is a gold-embossed hunting licence as far as I am concerned. These gentlemen receive their fees from OHIP, and on top of that they then bill the patients. I don't have to point out to you what some of the billing may be.

I have a sample billing here from a patient; it is dated approximately one year ago, and it points out that corns and calluses were pared—they are subcutaneous tissue, for your information, sir—for which OHIP was feed \$5 and the patient was feed \$5. That was on Jan. 17. On Feb. 14, corns and calluses again, with OHIP being feed \$5 and the patient \$5. On June 15 OHIP was feed \$5 and the patient \$5. On Sept. 5, OHIP was feed \$5 and the patient \$5. Then, on Nov. 14, there was a slight acceleration: Depressed longitudinal arches—therapy (whirlpool therapy, for example)—OHIP \$18.50, patient \$22. I won't bore you with the other details, but within the course of a year, OHIP was charged \$80.50 and the patient was charged \$97.

It would seem only reasonable to me that the recommendations of Pensioners Concerned (Canada) Inc. should be accepted—you have a copy of this communication—and specifically that the present practice with respect to the billing of the patient, in addition to claiming a fee for service from provincial health services, should be abolished. Many people with limited financial resources cannot afford the extra fee for foot care, which therefore becomes a luxury.

**Hon. F. S. Miller:** I'll be very brief.

**Mr. Breithaupt:** The minister is being provocative.

**Hon. F. S. Miller:** Alcohol is a major problem. We think it will become a more serious problem. I believe there is a conference at the Royal York, right now, discussing advertising. I believe the parliamentary

assistant to the Provincial Secretary for Social Development is there and has expressed an opinion. I believe our cabinet will be considering advertising and other incentives.

You touched on ARF, and Ontario is the leader in Canada; it is virtually the only source of major research on addiction problems in Canada, I would say.

**Mr. Godfrey:** Why compare yourself with other jurisdictions. Why not lead?

**Hon. F. S. Miller:** We are leading. We are leading by so far that there is nobody else in the race.

Regarding TB incidence I am told the morbidity is declining overall, although the new immigrants contribute a major share. I question whether the morbidity in TB is always from legal immigrants, which is a point we should look at sometimes.

**Mr. Godfrey:** Oh, there are not that many illegal immigrants.

**Hon. F. S. Miller:** On the COCO group, as we call chiropody, osteopathy, chiropractic and optometry, three of those do have the right to co-charge, and once the scopes of practices are brought into line, I think we will see a tightening up on those fee schedules.

[6:15]

**Mr. Kerrio:** I would address myself to one specific area in this vote, and that is to do with the public health nurses. I'm very concerned, and I would ask the minister a question in regard to his suggestion that he's going to leave the local boards to deal with this particular matter—in all probability all across the province. I would suggest to you that the public health nurse groups that protested here in such an orderly fashion, and their well presented document to the Minister of Labour and yourself, and the dedication they have to their job impressed me for one.

The fact that all the ingredients do not really exist for what you might consider real collective bargaining in that particular sector, and due to the fact that they themselves are asking for compulsory arbitration, I understood from your earlier remarks that you were content to leave them settle with each individual board. I wish that you would reconsider and somehow get a consensus of all those boards across Ontario so that they will have a settlement much sooner than we could expect if they're dealing on an individual basis all across the province.

Now, you yourself suggested that you felt quite bad that they were being subjected to

lockouts, and after their protest to let their feelings be known here, your reaction in regard to their request is a bit of a surprise. I would like you to seriously urge all the boards across the province taking into consideration all the facts, negotiating in good faith and handing down a decision as soon as possible. Otherwise I can't see any end to the lockouts and the strike as it exists.

**Hon. F. S. Miller:** Mr. Chairman, that's a very interesting problem, because earlier today your leader gave me something of a lecture on the return of responsibility to local people. And he was questioning me on district health councils. He claimed that they would not work until district health councils right away made local decisions on their own basis. Here we have one of our oldest local health agencies, the boards of health and the health units of Ontario. Each is spending money in an executive sense. Each is raising a share of that money on the local mill rate. Each is negotiating with its employees itself.

Now, I think one has to very carefully decide whether the suggestion you're making fits in with the thoughts your leader is making, that in fact local decision-making should be left at the local level. You're saying, centralize it.

That's a rather interesting dispute in that the locals of the ONA cannot ratify an agreement. Do you know that? It can only be ratified by their central office. Yet each of the boards of health may.

**Mr. Makarchuk:** Are you prepared to give them more than eight per cent?

**Mr. Hall:** Take the elastic band off.

**Hon. F. S. Miller:** I think it is a very interesting point, first of all, that there's a differential in the salaries between the public health nurses and the nurses in hospitals. It was not based upon any decision of this ministry.

If one goes back to 1974, we gave the local boards of health all of the rights to match the salaries paid in the hospitals. They chose not to do so. It was their decision, not ours. I think one should keep that in mind.

It pointed out one interesting fact—that if a local board operating in the health field had to raise part of its health levy locally, it wasn't as quick to grant demands as the hospital boards who did not. The hospital boards almost unanimously paid the maximum in our guidelines. The boards of health almost unanimously did not.

Some of them bought trouble at that time because by keeping the 1974 wage levels



relatively low they are really hit by the constraints the hon. member just referred to—the eight per cent and 10 per cent constraint.

So I say, I am anxious to see a resolution but I think we shouldn't give away a couple of basic principles: 1. the right to negotiate, which has always been cherished by the union movement; and 2. decentralized authority which now exists.

**Mr. Kerrio:** Just one comment, please.

**Mr. Makarchuk:** Give them moral support and they will—

**Mr. Kerrio:** I concur with your thinking. I think that in this case the exception would be in order. I think that is our responsibility, when we have people as dedicated as the public health nurses willing to go to compulsory arbitration, I think there is more onus on us to participate to a greater degree. What are their alternatives, in fact, if we do not?

**Mr. Deans:** Fund them.

**Hon. F. S. Miller:** Mr. Chairman, I heard the Minister of Labour at the meeting on Thursday with the Association of Boards of Health ask them to go to voluntary arbitration this year. They refused this year; that was one of their rights. They are considering it for next year.

**Mr. Deans:** What have you said about the funding?

**Mr. Kennedy:** Thank you, Mr. Chairman. It was getting dull. I'm sorry you are going to be let down, Mr. Minister.

I just wanted to speak very briefly on the Allergy Information Association, a volunteer group that has been going for some 10 years now. It provides information to allergy sufferers and their families, providing such things as dietary sheets and cookbooks and this type of thing.

This organization, as you know, is a volunteer organization and it provides information to those afflicted. It is not only an Ontario-based volunteer group but, as I understand it from one of their newsletters, it serves people across Canada and even beyond Canada. It started as a volunteer group but there has been so much interest that they get up to 300 inquiries a week. There was an interesting article in the Star of the June 5, 1976, setting out some information and also—

**Mr. Conway:** It's a great paper, the Star.

**Mr. Kennedy:** —that the federal government—which I think should provide some assistance to this excellent work they are doing, but they are caught between being a consumer group and a health group. The federal Department of Consumer—whatever it is called—Consumer and Corporate Affairs, say it is a health problem. The Health department says it is a consumer problem. The long and short of it is that there has been no assistance from them.

I realize the budgetary constraints under which we operate but I know of their budgetary requirements. For example, they have some 3,000 members now. They have a budget that's doubled in expenditures in printing. They have a membership which costs \$5 and a renewal of \$3. This has escalated from something like \$5,000 to \$10,000 and they are operating within this figure.

But their inquiries run to as many as 300 per week. I think that it is a very vital and valuable service that is being provided by them. I don't know whether we, as a province, and your ministry, might be of assistance.

I received a pamphlet which your ministry puts out on allergies in which you make reference to the Allergy Information Association and that information such as recipes and other material might be received from them. This, of course, is a good thing but it adds to their budget. I don't know whether any grant might be approved for them or whether some services might be provided which would alleviate the constraints under which they are operating. Perhaps I could have some comments on that.

**Hon. F. S. Miller:** Mr. Chairman, we have had requests from quite a few groups, either in the information disseminating field or some specialized group like your own. The answer in almost every case is "no" to more money this year. I would recommend though, since this is one of those groups that have been in contact with our ministry, I believe, that we pursue this with our own ministry's communications staff. They may be able to find ways of helping defray some of the printing costs as part of our overall programme.

**Mr. Deans:** Why is it that all these Tory back-benchers are—

Interjections.

**Mr. Chairman:** Order, please. There are 18 minutes left for supply.

**Mr. Martel:** The minister indicated that there was a lack of responsibility over on this side of the House with respect to dealing with the occupational health problem. Let me tell you the most recent statement—no, you suggested we should get together and do it in a more—

**Hon. F. S. Miller:** That's called brotherhood.

**Mr. Martel:** Right, brotherhood—you know, the all-embracing arm of the Tories.

Let me read you the most recent statement by your colleague, the Minister of Natural Resources (Mr. Bernier), on April 26 in Quebec, and tell me if he really means to combat industrial disease. Listen to what he says:

Thirdly, and perhaps most important, our policies on occupational and environmental health in the mining industry must be improved. The policy of the Ontario government is clearly and distinctly safety first. [And he goes on] It has always been that, but lately we are realizing that we have to anticipate both present and potential hazards to health in a positive and effective way.

Our standards are being set so that insofar as medical science can determine there will be no appreciable risk to human health in the mines of Ontario. We recognize that this will put us at a disadvantage relative to other jurisdictions who perhaps accept less stringent standards or enforce them less rigidly, but we believe that if we are right this disparity will be short-lived. [Now, get the next sentence] If we are proven wrong, then we can adjust our policies.

You know what he's saying, Mr. Minister? Do you know what your colleague is saying, and the new entente that you have over there among the four of you? He's saying that if it's too costly and it doesn't work properly and it puts us at a disadvantage, we should say to hell with all the care and the wellbeing of the miners—we can go back to the old system. I am quoting directly from the minister's statement. If that's what you are talking about, obviously you haven't yet convinced your colleague, the Minister of Natural Resources.

My colleague, the member for Nickel Belt, is obviously right—it's still class and it's still money. If it's money that is going to count, then we say to heck with health and we go to money. That's what Leo said in Quebec

on April 26. You squirm out of that one. That was a great statement.

I heard that the Treasurer (Mr. McKeough) ranted and raved yesterday about my taking statements out of this with respect to mining revenue. That was Leo making the same statements then as well, because I quoted directly, as well, for the Treasurer's edification yesterday.

**Mr. Chairman:** You mean the hon. Minister of Natural Resources?

**Mr. Martel:** Yeah, Leo—the Minister of Natural Resources—

**Mr. Chairman:** The hon. member—

**Mr. Martel:** —I wonder why he was ever allowed to be a minister.

Let me tell you, though, the occupational health branch, like the Minister of Natural Resources, really has something to answer for. In the case of Elliot Lake, they have known of each and every incident of fatalities. That information was supplied by the Workmen's Compensation Board to them. If they sat on their proverbial hands it is not the Minister of Natural Resources alone who must bear the responsibility, but the Minister of Health, through the occupational health branch.

Dealing with that ministry is something to behold. I have been trying for two years, as the minister knows—since I discovered that there were 791 industrial deaf cases in the Sudbury area—to get the government to move in two areas. One was some type of programme to prevent industrial deafness to any other man—and the other some type of programme for those men who are already afflicted—in terms of speech therapy, in terms of lip reading, in terms of adjustment for hearing aids, in terms of not having to come to Toronto. And after two years—nothing.

[6:30]

My last letter to the minister was a major letter I wrote just before his illness on Feb. 2. It was a very lengthy letter in which I asked the minister to be specific in what they were doing in respect of dealing with those men who had industrial deafness. Secondly, I asked the minister what policies we've launched in order to guaranty that no other men become afflicted by industrial deafness.

I have not received a reply to that letter, and as recently as May 7, I wrote the acting minister at that time asking if she would kindly submit a response to my letter of



Feb. 2 to indicate what the occupational health branch was going to do to assist those who were already afflicted.

I also want to know what type of programme you have launched in terms of testing in the mines and testing in the pulp and paper industry. We are not the highest in very many things, but northern Ontario has the highest percentage of industrial deafness in the province—50 per cent—and the most severe cases of industrial deafness are in northern Ontario in the pulp and paper industry and in the mining industry.

What are we doing to ensure that the men who are there who are not presently suffering from it, don't become industrially deaf? What programmes have you and your colleagues, the Minister of Labour (B. Stephenson), the Minister of the Environment (Mr. Kerr) and the Minister of Natural Resources (Mr. Bernier) embarked upon?

We thought we had something going for us recently. We met with Michael Starr from the Workmen's Compensation Board and he agreed that Dr. McCracken would go to Sudbury. When Dr. McCracken came back, we were to meet with their representatives from the Ministry of Labour and their representatives from the Ministry of the Environment—high-ranking officials according to Mike Starr—so that we could then set about devising a policy; and it was the minister who invited us to help develop a policy.

I got a letter from Mike Starr on June 11, and it was very brief. Let me quote it for you.

Thank you for your letter of June 7 concerning Dr. W. McCracken's recent visit to Sudbury related to industrial deafness and requesting a meeting during the week of June 14 to 18, or thereafter. Dr. McCracken was very encouraged by his visit with all concerned agencies in Sudbury, since it would appear that the facilities there for dealing effectively with industrial deafness have greater potential than had been thought.

Dr. McCracken is currently reviewing his findings and discussing various factors which flow from his many meetings and conversations, but will be returning to Sudbury for further discussions and explorations which he believes will be of significant assistance.

In view of the changing situation and the prospect for further development, I think it would be more appropriate for Dr. McCracken to visit with Mr. Germa, Mr.

Laughren and yourself to bring you up to date.

Well, that's a copout—because we had an agreement. We had an agreement that when Dr. McCracken came back from Sudbury we would sit down with very high-ranking representatives and all the ministries involved to try and determine a policy to cover both areas—those who are already afflicted to protect others from becoming afflicted.

My two colleagues, the member for Sudbury and the member for Nickel Belt were at the meeting with Michael Starr. But in his letter to me he says, "No, that meeting is off. You can talk to Dr. McCracken in Sudbury."

[That isn't what we agreed to. We agreed to meet here with high-ranking officials from Health, Labour, Environment and Natural Resources to work out a policy to prevent men from becoming industrially deaf and to cope with those men who already are having problems.

And that is the type of co-operation, Mr. Minister, that you talk about. Well, I don't happen to believe this government has ever concerned itself with the workers in the workplace. I want to tell you that I have been around here a few years, and when it came to the cancer in the sintering plant in Copper Cliff it wasn't this ministry that helped. It wasn't this ministry that helped, it was Dr. Cecil Jonni from Hamilton.

When it came to the Elliot Lake thing, we flew by the seat of our pants. But then there was no help from any of these ministries and I want to tell you, it is about time that we stopped flying that way.

If you're sincere about what you say today, and that certainly contradicts what the Minister of Natural Resources said in his most recent statement in Quebec, then you will involve the workers immediately. In the Sudbury area, you will do about four things with the deaf. At Cambrian College my colleagues were with me when we spoke to Mr. Koski, the president, who is willing to do something in the line of speech therapy. He is willing to do something with the introduction of some type of course so that the men would have some training. Those men in Sudbury don't get any type of training—speech therapy, lip reading or anything. You do in Toronto. There is a course at George Brown but not up there. We've got to stop bringing the men down to Toronto and treat them there.

I just say to the minister that he can tell me that he wants a spirit of co-operation but the statement by the Minister of Natural

Resources decries that. The position taken by Michael Starr, where he reneges on an agreement made at a meeting in his office recently, decries that there is any effort to be co-operative. The only thing we can do, then, is to come out swinging.

Just before I sit down and allow the minister to respond, I would ask the minister if he is prepared—and it is on a totally different subject—to give to the health boards more than eight per cent in order to resolve the impasse. How can he talk about local autonomy when, in fact, he controls the purse strings? What is it? About 75 per cent of the moneys for local health units are out of the Treasury of the Province of Ontario.

**Mr. Deans:** No, no, he wants an answer.

**Mr. Martel:** No, just go ahead. I just want some answers.

**Hon. F. S. Miller:** Sorry, I temporarily was writing a note on some information you asked. Would you please repeat that last question?

**Mr. Deans:** You mean you missed the only question?

**Hon. F. S. Miller:** Listen, when there is so much sound and fury, one has to listen for a change in emphasis to—

**Mr. Martel:** Well, that comes as a result, of course, of dealing with this government.

**Hon. F. S. Miller:** I have, right now, some occupational deafness.

**Mr. Chairman:** Quick now, please. There are only six minutes left.

**Mr. Martel:** I asked the minister, since you prepare—

**Hon. F. S. Miller:** My answer is with the boards of health. My staff have clarified it. I told the boards of health last week that I was not prepared to adjust the guideline letter.

**Mr. Mancini:** Mr. Chairman, I would like to address myself to the district health councils where I see there are expenditures of \$1,400,000.

**Mr. Martel:** On a point of order, Mr. Chairman.

**Mr. Chairman:** Do you have a response to the member for Sudbury East on industrial deafness?

**Hon. F. S. Miller:** Mr. Chairman, he had asked me a specific question on boards of health funding. That's what I was told. That's

what I was replying to. I wasn't trying to reply to his entire speech because I didn't think he was through and quite honestly—

**Mr. Martel:** No, I am just waiting because we only have six minutes.

**Hon. F. S. Miller:** Are you all through?

**Mr. Martel:** Well, I am trying to.

**Hon. F. S. Miller:** Mr. Chairman, I have to get more information on the present state. When I was in Sudbury last Friday I understood that facilities had been set up at both the Laurentian and General Hospitals for audiometric testing.

**Mr. Martel:** That's all.

**Hon. F. S. Miller:** As far as the programme is concerned, I can't answer the question today. I, in fact, sent out for information while you were asking me about it in the hope that you would still be talking when it came back. It's not here yet. I'll be glad to even see you in my office to discuss it more.

**Mr. Mancini:** Mr. Chairman, I would like to start all over again and I would like to address myself to the district health councils where I see there are expenditures of \$1,400,000. I'm sure the Minister of Health is aware that just recently, in the last few months, they have established a Windsor and Essex county district health council. The point I would like to make here is to say to the minister that if we are going to establish these district health councils and if we are going to have this kind of expenditure, then I assume we are going to take their recommendations also.

Some time ago the district health council made a recommendation to the Ministry of Health that the volunteer ambulance service of the Amherstburg, Anderdon and Malden communities be left the way it is. Unfortunately, your ambulance branch saw fit not to accept the recommendations and made it known publicly that there was a possibility the communities would lose their volunteer service because they could not operate without a dispatch in their own area. After having several meetings, one with the volunteer ambulance people and another one with Mr. Brubacher of your department, it was finally decided that the ambulance service would be left alone.

However, we have still not received that letter from Mr. Brubacher which he promised me and the people in the volunteer service. I would ask you please to check into that to see if we can get a final and written report.



I'll end my comments there.

**Mr. Chairman:** That was on the previous vote but you can reply briefly, if you wish.

**Hon. F. S. Miller:** I am almost sure I signed a letter to the Amherstburg ambulance group within the last four or five days. It dealt with some of the issues you're talking about and it probably is in their hands but I would be glad to double-check it and see if it was—

**Mr. Mancini:** Was it favourable? Was it a favourable decision which you rendered?

**Hon. F. S. Miller:** I can't quote the contents of the letter by memory. It was a fairly long one, as I recall.

**Mr. Mancini:** We just want to state to you how very important it is to keep that service intact.

**Mr. Chairman:** The hon. member for Kitchener-Wilmot. You've got about one minute and 30 seconds.

**Mr. Sweeney:** Can I just ask one question?

**Mr. Deans:** Quickly.

**Mr. Sweeney:** There is considerable evidence that malnutrition in a developing child within the pregnant mother and malnutrition in a baby in the first and second years of life can do serious damage to brain development. What is your ministry doing to offset this?

**An hon. member:** There's a good question.

**Mr. Makarchuk:** The nurses go out on strike.

**Hon. F. S. Miller:** When we get into nutrition, it's an educational programme more than anything else, I would say. As I said earlier in the last estimates debate—

**Mr. Laughren:** It has to do with income too.

**Hon. F. S. Miller:** —good food is not necessarily costly food. It's a question of people being aware of the food they should provide their children. We eat a lot of junk food in Canada which is very costly and not nutritious. Through the health units we do our best in the various clinics to educate prospective mothers—and mothers, in fact—on the best nutritional means possible. As you know, the school programmes have some content on that too.

**Mr. Makarchuk:** Put the public health nurses back to work.

**Mr. Chairman:** The time for supply has expired.

Vote 3003 agreed to.

**Mr. Chairman:** This concludes the estimates of the Ministry of Health.

**Hon. Mr. Welch** moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report certain resolutions.

**Clerk of the House:** Mr. Stokes from the committee of supply reports the following resolution:

Resolved: That supply in the following amounts and to defray the expenses of the government departments named be granted to Her Majesty for the fiscal year ending March 31, 1977.

**Mr. Breithaupt:** Mr. Speaker, I suggest that, as it has been distributed and will appear in Hansard as well as the particular votes having been recorded heretofore, we dispense with the reading of this resolution.

Agreed. (See appendix B.)

Resolution concurred in.

## ANSWERS TO WRITTEN QUESTIONS

**Hon. Mr. Welch:** Mr. Speaker, I wish to table answers to questions 102 and 116 standing on the notice paper. (See appendix A.)

Mr. Speaker, Her Honour awaits and if members would bear with us for just a few moments, we will be back with the Lieutenant Governor.

The Honourable the Lieutenant Governor entered the chamber of the legislative assembly and took her seat upon the throne.

## ROYAL ASSENT

**Hon. P. M. McGibbon** (Lieutenant Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**Clerk of the House:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 81, An Act to amend the Environmental Protection Act, 1971.

Bill 87, An Act to amend the Education Act, 1974.

Bill 89, An Act to amend the Municipal Act.

Bill 94, An Act to provide certain Protections for Purchasers of New Homes.

Bill 98, An Act to amend the Travel Industry Act, 1974.

Bill 100, An Act to amend the Municipal Conflict of Interest Act, 1972.

Bill 101, An Act to amend the District Municipality of Muskoka Act.

Bill 104, An Act to amend the Provincial Parks Act.

Bill 106, An Act to amend the City of Thunder Bay Act, 1968-69.

Bill 108, An Act to provide for the Continuance of Certain Payments between Municipalities under the Child Welfare Act, 1965.

Bill 122, An Act respecting the Lake Superior Board of Education.

Bill 123, An Act to amend the Legislative Assembly Act.

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

**Hon. Mr. Davis:** Before the House leader moves the adjournment I would just like to take this opportunity to thank the members opposite for their very constructive co-operation during the past few weeks and to suggest to them they have a very pleasant summer recess which, hopefully, will be of some duration, but that I cannot predict with total accuracy. I also say to them that I hope they spend the summer explaining to their constituents the many positive pieces of legislation that we all collectively passed and, of course—

**Mr. Singer:** Some of the negative ones.

**Hon. Mr. Davis:** —who enthusiastically support all of the policies of this government in the very broad sense of the word.

I would also extend an invitation to each and every one of you to come and see a prelude of major league baseball as it will be seen here a year from now. It is not at the main stadium of the CNE, it is a little to the west. It will start in exactly six minutes—

**Mr. Singer:** We understand you are not the favourites.

**Hon. Mr. Davis:** —when that team known as the "sources close to the Premier" have extended a challenge to those men and women who report so accurately the activities of members of this Legislature. The reserved seats are going at very minimal prices. The proceeds from the sale go to the coffers of the Progressive Conservative Fund Ontario to assist us in our worthwhile activities and all of you are more than welcome.

**Mr. Breithaupt:** Bill Kelly is monitoring it.

**Mr. Peterson:** Not quite a sellout.

**Hon. Mr. Davis:** In fact, if some of you do appear and we need the odd designated hitter or pinch-hitter or what have you, I know just those members opposite that I would presume to ask to fill in.

**Mr. S. Smith:** You probably will be very good at stealing bases.

**Mr. Singer:** The bases will be pretty loaded against you.

**Hon. Mr. Davis:** Mr. Speaker, I do say the odds are not only heavy against us, they are almost insurmountable, but we have faced insurmountable odds before and prevailed. But I do say most sincerely that in spite of some of the pressures and what has gone on in the past few months, I would like to extend my appreciation to the members opposite to wish them a pleasant summer vacation and we will look forward to seeing you sometime before Oct. 31, 1976.

**Mr. Singer:** Maybe even before the end of June.

Hon. Mr. Welch moved the adjournment of the House.

Motion agreed to.

**Mr. Speaker:** This House stands adjourned until, as announced earlier today, a date to be named by the Lieutenant Governor by her proclamation.

The House adjourned at 6:55 p.m.



## APPENDIX A

(See pages 3812, 3815 and 3851)

56. Mr. Reed (Halton-Burlington)—Inquiry of the ministry:

Would the Minister of Energy provide the total itemized cost of both the Solandt commission and the Caverly report, indicating exactly how much public money was spent and for what specific expenditures?

Answer: by the Minister of the Environment:

We understand the Caverly report to be the report of the Environmental Hearing Board entitled: "Ontario Hydro Bradley-Georgetown 500 KV Transmission Line Right of Way."

Although the Ministry of Energy, Ontario Hydro and the Ministry of the Environment through this board were involved in certain costs for all the work that eventually led to the final report, the figures given below are those that have been charged to or caused by the Environmental Hearing Board.

1. Advertising, etc. ....	\$ 2,055
2. Board members' expense and per diem, including committee meetings	6,625
3. Sound system .....	1,100
4. Hearing accommodation .....	650
5. Staff travelling expenses .....	800
6. Transcripts .....	8,000
7. Printing costs—transcripts .....	1,962
8. Printing of report .....	50
9. Salaries .....	10,408
	<hr/>
	\$31,650

The accumulated costs of the Solandt commission are as follows:

1. Salaries .....	\$ 47,573
2. Benefits .....	2,522
3. Transportation and communication .....	9,320
4. Advertising .....	21,172
5. Sundry, rentals .....	3,583
6. Per diem payments .....	50,306
7. Temporary help .....	18,507
8. Special services .....	23,246
9. Professional services .....	216,011
10. Office supplies .....	22,817
	<hr/>
	\$415,057

71. Mr. Angus—Inquiry of the ministry:

Would the Minister of the Environment please list all sources of PCBs that are to be found in varying degrees in the waters of Lake Superior.

Answer: by the Minister of the Environment:

The Ministry of the Environment has examined a number of potential sources of PCB to Lake Superior as part of its regular programme and in part to meet the needs of the International Joint Commission on Boundary Waters.

In addition to point sources, such as effluents from municipal sewage treatment plants and industries, investigations have been made into drainage inputs into the lake from natural watercourses and consideration given to direct precipitation.

As background, the use of PCBs in Ontario is very limited and indeed constrained by the manufacturer to use in closed electrical components. Concentrations in effluents are in the trace ranges, that is, in parts per billion or trillion. Most sources today are related to past uses and trace amounts that continue to wash or leach out. Disposal of used PCB is closely controlled.

Examination of effluent from five municipal sewage treatment plants and four major industries revealed negligible concentrations in the former (in the range of 0 to 1 ppb) and absence or below the detection limit in the latter.

The concentrations in 14 streams and rivers ranged from 0 to .05. These concentrations reflect background levels in view of the minimal development in some watersheds.

Work in the United States has suggested PCB concentrations of up to 0.1 ppb in rain-fall. Further examination of this source is pending.

The lake itself shows little evidence of significant contamination from PCB. Fish from Lake Superior have not concentrated significant levels. Water and sediments are low. One exception is the concentration of PCB in sediments in the Marathon area where further work on confirmation of finding and examination of current or past sources is being undertaken.

92. Mr. Angus—Inquiry of the ministry.

Would the Minister of Industry and Tourism table a list of all firms, companies or individuals who have received more than one NODC, EODC or ODC loan. Would the minister further provide full details of the various loans to these firms with particular reference to: (a) Amount of loans; (b) details of repayment; (c) the type of work to be done; (d) the number of jobs to be created; and (e) the amounts repaid and the number of jobs created by the first loan before the second one was granted and the same for any subsequent loans.

Answer by the Minister of Industry and Tourism:

The corporations have granted more than one loan to 170 firms, companies or individuals. Information respecting loans provided to these borrowers is as follows:

- (a) Total amount authorized \$58,655,367.
- (b) Loans generally have a term of 15 years or less.
- (c) Work done with the funds provided includes new facilities, upgrading facilities, expansion of facilities, general working capital and working capital for export.
- (d) The borrowers projected that 3,565 jobs would be created as a result of these loans, after one year, and 9,198 after five years.
- (e) Statistics respecting amounts repaid and jobs created by first loan before second loan was granted would not be meaningful because many second loans were for expansion into new product lines which were unrelated to achievement under the original programme or made for the provision of working capital needed to sustain a growing business. This applies as well to funds provided because of inflationary costs incurred by borrowers during the process of constructing their projects.

The details of all loans approved are tabled in the House each year.

94. Mr. Angus—Inquiry of the ministry:

Would the Minister of Industry and Tourism please list the name, address and product marketed by all companies participating in ministry trade missions for the ODC and EODC, geographic areas.

95. Mr. Angus—Inquiry of the ministry:

Would the Minister of Industry and Tourism please list: (a) number, (b) type, (c) value and, (d) number of jobs created directly due to participation in ministry trade missions. Please provide a breakdown in terms of NODC, EODC and ODC geographic boundaries

Answer by the Minister of Industry and Tourism:

Questions 94 and 95 tabled May 5, 1976, request the names, addresses and product manufactured by all companies which have participated in Ontario trade missions, broken down by ODC, NODC and EODC geographic areas.

To compile this particular breakdown of information on the some 2,500 companies which have been involved in this activity since 1962 would be an extensive job involving many man-days of work.

We have, however, compiled a list of the companies that have participated in our trade missions in the calendar year 1974 and 1975, broken down into ODC, NODC and EODC.

While we do carry out follow-up, at six month intervals for two years following each trade mission, we do not attempt to maintain a running record, on a company by company basis, of jobs created because of the administrative complexities and manpower requirements.

It must also be considered that information provided to us by companies is considered highly confidential and we must maintain this confidence if we are to work effectively with them.



## ONTARIO TRADE MISSIONS 1975

## ONTARIO DEVELOPMENT CORP.

Company Name and Location	Products
Elwin C. Moore Associates Malton, Ont.	Hotel sector—hotel design—market and financial analysis—hotel construction—project planning and management—set up of hotel managements—management training. Assembly of finance for hotel project.
Westinghouse (Canada) Ltd. Outdoor Lighting Division, Hamilton, Ont.	Outdoor lighting—streets, highways, industrial installations, airport (runway and approach), harbours, stadiums etc.
Acres International Ltd. Toronto, Ont.	Engineering consulting services—specializing.
CC Chemicals Ltd. Thornhill, Ont.	Non-shrink grout.
Kingston Automatic Transmission Ltd. Kingston, Ont.	Remanufactured transmissions and component parts.
Protective Plastics Ltd. Milliken, Ont.	Reinforced plastics—pipe and fittings. Electrical grade laminates. Cable trays, grating.
Novatronics of Canada Ltd. Stratford, Ont.	Digital indicators. Stepper motors.
Snow Systems Engineering Co. Toronto, Ont.	Snow making machines. Ancillary equipment.
Tex Flex Ltd. Stoney Creek, Ont.	Narrow woven fabrics. Webbing.
The Upson Company (Canada) Ltd. St. Catharines, Ont.	Building products. Wall panels.
Appleton Electric Ltd. Cambridge, Ont.	Fuses for electric and electronic industry.
Canadian Grinding Wheel Co. Ltd. Hamilton, Ont.	Grinding wheels.
Kongskilde Ltd. Exeter, Ont.	Row crop cultivator.
S. G. Smallwood Ltd. Kitchener, Ont.	Winding and assembly for electronics industry.
Space Circuits Ltd. Waterloo, Ont.	Printed circuits for the electronics industry.
The Canadian Helmitin Co. Ltd. Toronto, Ont.	Industrial adhesives.
Felton Brushes Ltd. Hamilton, Ont.	Industrial and household brushes.
Grampian Marine Ltd. Oakville, Ont.	Cruising sailing boats, 23 feet to 34 feet long, fibre glass.
Gidon Industries Inc. Rexdale, Ont.	Automotive mufflers.
Uniseal Ltd. Weston, Ont.	Water proofing and roofing membranes, decorative wearing surface membranes and sealants.

**Company Name and Location****Products**

Burnside Equipment Ltd.  
Toronto, Ont.

Industrial carpet cleaning equipment, industrial vacuum cleaners, carpet and resilient floor maintenance equipment, hospital operating room cleaning equipment, industrial vacuum cleaners with high efficiency absolute filters.

Bodi Gard  
Weston, Ont.

Mattresses and chesterfields.

Upper Canada Resources Ltd.  
Toronto, Ont.

Diamond drills—rotary drills—percussion drills and related drilling equipment—consulting and contract services for drilling in mining.

Sala Machine Works Ltd.  
Mississauga, Ont.

Ore dressing equipment—agglomeration equipment—slurry pumps—environmental control equipment.

Teledyne Canada Mining Products  
Thornbury, Ont.

Rock breakers—air and hydraulic cylinders—rock drill parts—trackless equipment—ore car dumpers.

O & K Canada Ltd.  
Dundas, Ont.

Mine hoists—grinding mills—copper smelting equipment—crushers.

Scintrex  
Concord, Ont.

Geophysical instruments for mineral exploration (ground and airborne).

General Engineering Co. Inc.  
Toronto, Ont.

Consulting—engineering and project management. Procurement in the field of mining and mineral processing.

Electrolyser Corp. Ltd.  
Etobicoke, Ont.

Electrolytic hydrogen and oxygen cells. Hydrogen generators and compression systems.

Chemacryl Plastics Ltd.  
Toronto, Ont.

Acrylic Moulding Compounds (PMNA Moulding Powder).

Cramco Solder Alloys  
Scarborough, Ont.

Solders, Alloys and Fluxes.

Dominion Auto Accessories Ltd.  
Toronto, Ont.

Automotive accessories, automotive lighting, mirrors, reflectors and marine hardware equipment.

Canadian General Electric  
Scarborough, Ont.

Apparatus and heavy machinery for the utilities and industrial use. (To generate, transmit, control and utilize electric power.)

Kleen-Flo Corp.  
Toronto, Ont.

Automotive and industrial chemicals and additives.

Trench Electric Ltd.  
Scarborough, Ont.

Current limiting reactors, Line traps, Inductance coils, Capacitor voltage, transformers and coupling capacitors.

Centour Manufacturing Co. Ltd.  
Richmond Hill, Ont.

Capacitive discharge electronic ignition, and diagnostic ignition analyzer.

Canadian Industries Ltd.  
Toronto, Ont.

Agricultural chemicals, industrial chemicals, plastics explosives, geophysical services and equipment, and technical know-how in these fields.



**Company Name and Location****Products**

Clark Equipment of Canada Ltd.  
St. Thomas, Ont.

Logging equipment, construction equipment, mining equipment, material handling equipment.

Hawker Siddeley Canada Ltd.  
Orenda Division  
Toronto, Ont.

Industrial Gas Turbines.

International Pipeline Engineering Ltd.  
Toronto, Ont.

Engineering consulting—gas transmission, engineering design and contract management.

Knud Simonsen Industries Ltd.  
Rexdale, Ont.

Packinghouse equipment.

Raytheon Canada Ltd.  
Waterloo, Ont.

Telecommunications equipment and air traffic control products.

United Tire and Rubber Co. Ltd.  
Rexdale, Ont.

Specialized truck and earthmover tires.

W. R. Breen Ltd.  
Rexdale, Ont.

Soap dispenser—modern design, new mechanical features.

Dunmark Manufacturing Co. Ltd.  
Newmarket, Ont.

Archery equipment and accessories.

Grayco Harvesters  
Heidelberg, Ont.

Seedling lifter for use in forest tree nurseries.

Harding Carpets  
Brantford, Ont.

Commercial and domestic carpeting of tufted construction in all textures, types, including Zimmer printed, TAK dyed and Kusters dyed.

Instronics Ltd.  
Stittsville, Ont.

Gradicon, touch sensitive digitizer.

Wm. G. King Ltd.  
Paris, Ont.

Design and publishing of knitting and crochet patterns.

Lony G. Ltd.  
Toronto, Ont.

High fashion designer label suedes and leathers in coats, separates and evening wear (men and women).

T. G. Pneutech Ltd.  
Burlington, Ont.

Refrigerated compressed air dryer.

Canada Cycle and Motor Co. Ltd.  
Weston, Ont.

Bicycles, Exercise equipment

Modern Laboratories Ltd.  
Scarborough, Ont.

Blood bank diagnostic reagents.

MTC Pharmaceuticals Ltd.  
Hamilton, Ont.

Finished human and veterinary pharmaceutical products.

Phoenix Paper Products Ltd.  
Weston, Ont.

Newsprint paper (sheeted) fine paper, School papers.

Proctor and Redfern International Ltd.  
Barrie, Ont.

Consulting engineers and planners.

International Harvester Canada  
Hamilton, Ont.

Agricultural machinery, trucks, logging equipment and construction equipment.

Company Name and Location	Products
BMV Manufacturing Mississauga, Ont.	Hockey goals.
Domestic Tank and Equipment Ltd. Scarborough, Ont.	Under and above ground storage tanks, farm trade tanks, domestic fuel oil tanks, etc.
Fursyn Manufacturing Co. Ltd. Toronto, Ont.	Ladies and children synthetic pile slippers. Also a line of pile boot liners.
H. F. Instruments Ltd. Bolton, Ont.	Analytical instruments, turbidimeters, gas line analysers, gas chromatographs.
Jeamar Winches Ltd. Thornhill, Ont.	Electric winches.
Controlled Systems (Windsor) Ltd. Windsor, Ont.	Electronic controls and equipment, battery chargers, portable spot welders, D.C. power supplies, inverters, transformer digital counters, digital tachometers, AMP hour recorders and metering pumps and reactors.
Lap Tech Ltd. Bowmanville, Ont.	Crystals—blank, in semi-finished state.
Richard E. Stanleigh of Canada Downsview, Ont.	Men's sportswear.
Electro-Assemblies Inc. Mississauga, Ont.	Electro-safe. Burglar alarm systems.
P.C. Drop Forgings Ltd. Port Colborne, Ont.	Forgings (carbon, alloy and stainless steel).
Greening Donald Ltd. Hamilton, Ont.	Perforated metal screen, wire cloth, wire ropes.
Moyer-Vico Ltd. Weston, Ont.	School furniture, chairs, tables, benches, stools.
Worthington (Canada) Ltd. Toronto, Ont.	Slurry pumps, paper stock pumps.
P.M. Machines & Dies Co. Ltd. Islington, Ont.	Roll forming metal working equipment.
Pavemaster of Canada Ltd. Scarborough, Ont.	Asphalt spreader, static and vibratory rollers 1-ton and 2-ton capacity.
Grigor Fire Apparatus Ltd. Toronto, Ont.	Fire fighting apparatus, nozzles, valves, stand-pipe.
Crystal Fountain Co. Ltd. Toronto, Ont.	Decorative water displays (engineered type).
Wajax International Ltd. Scarborough, Ont.	Associate member.
Abacus Industrial Equipment Co. Ltd. Oakville, Ont.	Hot air furnaces and equipment for drying process.
Eco-Tec Ltd. Toronto, Ont.	Reciprocating flow iron exchange system for recovery of electrolyte wastes from plating bath.
Northern Pigment Co. Toronto, Ont.	For manufacturing of paints, plastics, brick and concrete products, rubber tele-communication ferrites.



Company Name and Location	Products
Ontario Hardwood Products Ltd. Toronto, Ont.	Ontario hardwood
Pan Canada Magnetics Ltd. Port Credit, Ont.	Magnetic tapes in cassettes.
R. & J. Machine and Engineering Ltd. Kitchener, Ont.	Gelatine capsule making machines.
C. R. Snelgrove Co. Ltd. Don Mills, Ont.	Quartz crystals for the electronic industry and tele-communication.
The Canadian Chromalox Co. Ltd. Rexdale, Ont.	Appliance elements, electric heating and air conditioning equipment.
Exco Ltd. Scarborough, Ont.	Dies for aluminum extrusion presses.
Kleen-Stik Products Ltd. Mississauga, Ont.	Pressure sensitive adhesive coated papers, films and foils.
Lanson Mats (Canada) Ltd. London, Ont.	Electric carpets for automatic doors, security, industrial safety.
Manton Inks Ltd. Mississauga, Ont.	Printing inks for corrugated containers, polyethylene films and foils.
Pyrotenax of Canada Ltd. Trenton, Ont.	Mineral insulated power cable, heating cables, thermocouples.
Security Credit Systems Ltd. Markham, Ont.	Plastic credit cards and identification cards— Plastic advertising specialties.
Alderbrook Industries Ltd. Toronto, Ont.	Unbreakable satin wrapped Christmas ornaments and exterior lighting.
Atkins & Hoyle Ltd. Toronto, Ont.	Deck—Skylight hatches for private yachts.
Automated Tool & Machinery Ltd. Weston, Ont.	Woodworking machinery primarily used in plywood and panel forms.
Cornelius Pools & Equipment Ltd. St. Catharines, Ont.	In ground and above ground swimming pools, covers, enclosures and filters.
Kaufman Footwear Industries Ltd. Kitchener, Ont.	Coldweather and sporting footwear.
Plant Products Co. Ltd. Bramalea, Ont.	Plant Prod Water Soluble Fertilizer, Poly Fastener—to attach polyethylene to frames.
Reed Decorative Products Ltd. Toronto, Ont.	High quality unique design wallpaper for commercial and residential use.
Soma Electronics Ltd. Scarborough, Ont.	Home entertainment speakers.
Abal Manufacturing Inc. Weston, Ont.	Woodworking machinery.
Bulldog Lacing Ltd. Hamilton, Ont.	Metalic belt lacings. Elastomeric bearings.
Eastern and Pacific Ltd. Mississauga, Ont.	Toiletries and unique travellers aids for travel and tourist industry—"Exacta-Pak".

**Company Name and Location**

General Refrigeration of Canada  
Downsview, Ont.

Helmec-Roth Ltd.  
Thornhill, Ont.

Quinton Instruments Canada Ltd.  
Scarborough, Ont.

Sanitation Equipment Ltd.  
Downsview, Ont.

Sportsphere Corp. (Canada) Ltd.  
Downsview, Ont.

Waldec of Canada Ltd.  
Rexdale, Ont.

The Brooks Manufacturing Co. Ltd.  
Toronto, Ont.

Flex-A-Duct Ltd.  
Weston, Ont.

Ouyang Boat Works Ltd.  
Whitby, Ont.

National Hardware Specialties Ltd.  
Dresden, Ont.

Sutton Tool and Die Mfg. Co. Ltd.  
Brantford, Ont.

Tooling Enterprises  
Scarborough, Ont.

Copeland Laboratories Ltd.  
Rexdale, Ont.

De Leuw Cather  
London, Ont.

Ernest Delorme and Assoc.  
Tillsonburg, Ont.

Pathex (Canada) Ltd.  
Don Mills, Ont.

Perfection Automotive Products  
(Windsor) Ltd.  
Windsor, Ont.

Powertronic Equipment Ltd.  
Scarborough, Ont.

Suburban Metal Industries Ltd.  
Agincourt, Ont.

Western Stress Group  
Etobicoke, Ont.

**Products**

Walk-in coolers and freezers, Reach-in coolers and freezers. Merchandizers for fresh and frozen meats, dairy products etc. Steel shelving, meat rail.

Clothing care products.

Specialized medical electronic instrumentation.

Toilet systems.

Laminated maple profiled wood golf club heads—Dimension stock.

Pre-pasted and vinyl wall coverings.

Fireside furnishings, artificial mantels, free-standing fireplaces.

Flexible air ducts.

Fibreglass sailboats.

Custom zinc diecasting.

Bench saws.

Close centre adjustable tooling for metal fabricating industry.

Industrial chemicals, cleaners, automotive rubbing compounds, aerosol products, etc.

Design engineering services and project management in housing and transportation fields.

Mobile and stationary batching plants, Hot systems, Conveying systems.

Machinery for use in rubber wood and plastics industries.

Automotive parts and accessories and die cast hardware for marine (deck) use.

Power supplies, regulated rectifiers, sub-stations, etc.

Cargo control and load securing systems.

Heat treating and non-destructive testing equipment.



**Company Name and Location**

Comfy Home Furnishings Ltd.  
Toronto, Ont.

Dewtron Devices Ltd.  
Scarborough, Ont.

Eagle Precision Tool Ltd.  
Brantford, Ont.

Electronic Hardware Specialties Ltd.  
Toronto, Ont.

Liberty Ornamental Iron Ltd.  
Concord, Ont.

The London Corp.  
Toronto, Ont.

Parkinson Cowan (Canada) Ltd.  
Chatham, Ont.

Pioneering Marketing Associates Ltd.  
Willowdale, Ont.

T.L.M. Conveying Systems Ltd.  
Brampton, Ont.

The Milner Rigsby Co. Ltd.  
West Lorne, Ont.

Art Light Co. Ltd.  
Burlington, Ont.

Frame Neckwear Ltd.  
Kitchener, Ont.

Hamilton Carhartt Manufacturing Ltd.  
Toronto, Ont.

Otis Pant Manufacturing Ltd.  
Toronto, Ont.

Tonecraft Co. Ltd.  
Toronto, Ont.

Casanova Fashion Ltd.  
Toronto, Ont.

Goderich Manufacturing Co. Ltd.  
Goderich, Ont.

Dominion Aluminium Fabricating Ltd.  
Mississauga, Ont.

G.S.W. Ltd. (Building Products)  
London, Ont.

G.S.W. Metalwares Ltd.  
Hamilton, Ont.

Jongro Rubber Co. Ltd.  
Mississauga, Ont.

**Products**

Laminated furniture throws, slip covers, drapes and bedspreads.

Alignment laser.

Tube end forming machine.

Power wire wound resistors and rheostats.

Chrome furniture.

Athletic protective equipment. Two-way stretch elastic hosiery and surgical hosiery.

Gas barbecues.

'Silversmith' silver polish.

'Coppersmith' copper polish.

'Silverguard' tarnish preventer, metal polishes and silver plate restorer.

Conveying systems.

Truck and trailer vehicle laminated oak flooring.

Decorative urethane products, wall mirrors, wall plaques, and wall tiles.

Men's neckties—Silky polyester and woollen.

Jeans and jackets—Corduroy polyester, denim and cotton; leisure suits—unisex fashion overalls, shorts and cut up jeans.

Young men's high fashion slacks—Wool, wool blends, cotton and polyester, polyester.

Vinyl coated, prepasted, scrubbable, strip-pable, wallpaper—Approximately 90 colours and patterns.

Leather and suede coats and sportswear.

Hardwood lumber and dimension stock. Bowling alley stock, moulding for furniture manufacture.

Moveable swimming pool bulkheads and moveable swimming pool floor platforms.

Personal steel lockers.

Office waste baskets.

Tarpaulin straps, manufactured of rubber—various uses.

Company Name and Location	Products
Tek Hughes Products Ltd. Mississauga, Ont.	Personal hair brushes.
Anchor Textiles Div. of Workwear Corp. of Canada Toronto, Ont.	Coveralls, shop coats, jackets, shirts, pants, dresses, uniforms.
Crouse-Hinds Canada Ltd. Toronto, Ont.	Explosion-proof electrical fittings for hazardous locations.
Doon Twines Kitchener, Ont.	Manilla, terylene, nylon, polypropelene, marine hawsers and ropes.
Gray Tool Co. Ltd. of Canada Bramalea, Ont.	Mechanic's hand tools.
Greb Shoes Ltd. Kitchener, Ont.	Steel toe and non steel toe safety boots and shoes.
Greening Donald Ltd. Hamilton, Ont.	Steel wire rope, up to 3¾ in. diameter wire rope slings, pendants, shaker mud screens.
A.R.C. Industries Ltd. Toronto, Ont.	Handicrafts on silkscreened items woodwork designs, novelties.
Jonathan Lock Ltd. Downsview, Ont.	High security lock.
National General Filter Products Ltd. Brampton, Ont.	Bond copy machine filter.
Patterson Industries (Canada) Ltd. Scarborough, Ont.	High speed motor shell, mash seam welder.
Pleasure-Way Swimming Pools Ltd. Brantford, Ont.	Swimming pools, filters and pool products.
Polytechnic Laboratories Ltd. Mississauga, Ont.	Liquid chemical sterilant.
El-Met Parts Dundas, Ont.	Electro-magnetic components from stamped laminations and fabricated parts.
Canadian Ohio Brass Co. Ltd. Niagara Falls, Ont.	Porcelain insulators; Solid core post type insulators.
Bay Mills Ltd. Toronto, Ont.	Fibreglass screening, fibreglass membranes and aluminum filter cloths.
International Tools (1973) Ltd. Windsor, Ont.	Plastic injection and compression molds; die casting dies.
Owl Instruments Ltd. Downsview, Ont.	Radio frequency lesion generators.
Retney Holdings Ltd. Islington, Ont.	Representing the following companies: Designed Precision Castings—Precision castings in ferrous and non-ferrous alloys.
Architectural Metal Industries Bramalea, Ont.	Stainless steel sinks and bar equipment.
Jack Martell Exporting Ltd. Willowdale, Ont.	Industrial fans, wire screen, housewares, electrical wiring and lighting and hand tools.



Company Name and Location	Products
Safety Supply Co. Ltd. Toronto, Ont.	Industrial safety products.
Dresser Electrics Ltd. Windsor, Ont.	Dry type transformers; D.C. power supply units; Rectifiers.
Challenger Manifold Corp. Ltd. Toronto, Ont.	Copying and duplicating products, carbon paper, inked ribbon and duplicators supplies.
Cusco Industries Ltd.   Thornhill, Ont.	Liquid waste removal systems.
Eng-Mark Ltd. Don Mills, Ont.	Construction heaters.
Smith & Stone Ltd. Georgetown, Ont.	Switches and other electric wiring devices.
Westeel-Rosco Ltd. Toronto, Ont.	Fabricated steel—aluminum products.
Zor Industries Ltd. Woodstock, Ont.	Zor plow.
Algonquin Manufacturing Ltd. Toronto, Ont.	Fishing rods, tackles and accessories.
Electrical Contacts Ltd. Hanover, Ont.	Precious metal arcing materials.
Fabricushion Ltd. Markham, Ont.	Latex foam coated fabrics.
Gulco Company Ltd. Toronto, Ont.	"Kat" all position variable speed travel carriage.
Lembo Corporation of Canada Ltd. Midland, Ont.	Printing, laminating, embossing and coating equipment, ovens for the vinyl, paper film, foil fields.
Supreme Aluminum Industries Ltd. Scarborough, Ont.	Cookware, aluminum and stainless steel, giftware, office accessories.
Broy Engineering Ltd. Rexdale, Ont.	Deflection yokes and coils for domestic television receivers.
Gidon Industries Inc. Toronto, Ont.	Automotive mufflers.
Gray Tool Co. of Canada Ltd. Bramalea, Ont.	Mechanic type hand tools—complete line—also metric.
Lo-Lift Corp. Ltd. Mississauga, Ont.	Packing and storage products (for Dept. Stores), dock levellers, hydraulic lift tables, elevating docks, pallet trucks, stackers.
Magna International Inc. Downsview, Ont.	Fractional H.P.-D.C. electrical motors (heaters, air conditioning); V-belt pulleys for alternators, water pumps, air conditioners; mufflers and tail pipes for Volkswagen; bumper guards and metal trim; Solv-X parts washing equipment.
Reliable Tool and Mfg. Co. Ltd. Welland, Ont.	Concrete pump—for pumping concrete.

**Company Name and Location**

Waltec Industries Ltd.  
Wallaceburg, Ont.

Burke & Wallace Ltd.  
Rexdale, Ont.

Cam-Hi Safety Equipment Ltd.  
Rexdale, Ont.

Canadian Durabla Ltd.  
Belleville, Ont.

Cooper Bros. Upholstery Company Ltd.  
Toronto, Ont.

Edson Packaging Machinery Ltd.  
Hamilton, Ont.

Gerrard Company Ltd.  
Hamilton, Ont.

Morgan Adhesives of Canada Ltd.  
Brampton, Ont.

Neo Industries Ltd.  
Hamilton, Ont.

Robertson, Stark and Holland Ltd.  
Toronto, Ont.

Dart Foundries Ltd.  
Stevensville, Ont.

Dom Enterprises Ltd.  
Toronto, Ont.

Interiors International Ltd.  
Weston, Ont.

Uni-Lab Inc.  
Brampton, Ont.

Hunter Enterprises Ltd.  
Orillia, Ont.

Swing Stage Ltd.  
Scarborough, Ont.

Quinton Instruments Canada Ltd.  
Scarborough, Ont.

WRD Mfg. Ltd.  
Mississauga, Ont.

**Products**

Plumbing components and fixtures (a) hospital/institutional; (b) laboratories; (c) residential; (d) custom-non-ferrous components.

Silver-plated holloware—tea sets, trays, candleabrae, serving dishes and reproductions.

Hard hats, laminated PVC on nylon rainwear, luminous traffic night vests.

Compressed asbestos gasket material.

High quality custom-made upholstered furniture—traditional style.

Automatic and semi-automatic case packing machinery.

Packaging equipment designed for use in high speed film packaging operations restricted to graphic arts.

Self-adhesive body side mouldings for automobile OEM or aftermarket, self-adhesive printed vinyl decorator film.

Chrome-plated machined components — primarily rollers used in steel and photocopy industries.

Lumber—hardwood and softwood.

Custom castings in grey iron, meehanite and Ni-Hard capacity 1 to 7,000 lbs. Specialize in loose floor work.

Institutional and school recreation equipment.

Executive office furniture, chairs, desks, seating arrangements.

Neff Modules—Laboratory Cabinets; Cabinets, shelving, tables, for a complete hospital, clinic or other laboratory.

Smoke, Heat and Fire detectors for buildings, ground, rail, marine and air transportation systems.

Stage mounted hoist units—roof mounted hoist units for window washing and exterior building maintenance.

Specialized medical electronic instrumentation and extruded sections for use in electronics industry.

Special engineered products for petroleum marketing, aircraft ground service and Atomic energy applications.



Company Name and Location	Products
Roberts Gordon Appliances Corp. Ltd. Grimsby, Ont.	Gas Conversion Burners, Infra Red Sealed Combustion Space Heating Systems.
Parkinson Cowan (Canada) Ltd. Chatham, Ont.	Gas Meters.
Blue Giant Equipment of Canada Ltd. Brampton, Ont.	Materials Handling Equipment.
Thomson Gordon Ltd. Hamilton, Ont.	Elastomeric Bearings.
Markland Specialty Engineering Ltd. Etobicoke, Ont.	Automatic water pollution sampling systems.
Urethane Products Canada Ltd. Mississauga, Ont.	Compothane Safety Hammers, Industrial tires and wheels for material handling, Polyurethane stripper for punches.
Assinck Bros. Ltd. Markham, Ont.	Manufacturers/Designers of portable and stationary Screening and Washing equipment, Ready-Mix Plants, Belt Conveyor carriers, and Return Rollers.
James F. MacLaren Ltd. Willowdale, Ont.	Environmental Engineers and Scientists.
Quality Plastics Ltd. Oakville, Ont.	Artificial insemination equipment for Cattle, Pigs and Poultry.
Semex Canada Ltd. Guelph, Ont.	Frozen Bull Semen.
Thomson-Gordon Ltd. Hamilton, Ont.	Mechanical packings and seals, Industrial Rubber products.
Westeel-Rosco Ltd. Toronto, Ont.	Grain Handling and Storage systems, Culverts, Crash Barriers, Office Partitioning, Steel Dock systems for flooring and roofing, Exterior metal cladding for buildings.
Ascoelectric Ltd. Brantford, Ont.	Automatic transfer switch equipment, emergency power equipment, control solid state sensing equipment.
Heading Sales & Consultants Ltd. Downsview, Ont.	High speed steel carbide tooling used in manufacturing of cold headed, hot formed products, i.e., wire draw dies (custom shaped) wear and maintenance parts—'Flowminutor' for protection of industrial flow systems.
Irco Industries Inc. Brantford, Ont.	Weld positioning equipment and rubber tire molds.
Linac Systems International Ltd. Scarborough, Ont.	Power and communication column for electrical, telephone and inter-com connection at work stations.
T.G. Pneutech Ltd. Burlington, Ont.	Refrigerated air dryers.
Shamrock Construction Chemicals Ltd. London, Ont.	Reclamation compound Z, Z filled caps, rodent repellent kits, universal plugging compounds.

Company Name and Location	Products
Douglas Hogarth Ltd. Brantford, Ont.	Industrial waterless hand cleaner and wax wash liquids
Advanced Automated Equipment Ltd. London, Ont.	Automatic self feeding screw drivers and vibrator bowls.
Cord Industrial Equipment Ltd. Rexdale, Ont.	Positive displacement blowers and comminutors.
E. Delorme & Associates Tillsonburg, Ont.	Dust filters, vibrators.
Merrick Hydraulics Inc. Hamilton, Ont.	Hydraulic lift platforms.
Pumps & Softeners Ltd. London, Ont.	Pumps and water treatment equipment, domestic, commercial and industrial.
Bate Chemical Co. Ltd. Don Mills, Ont.	Sodium polyacrylate resin.
Canadian Hanson Ltd. Toronto, Ont.	Nickel and zinc anodes—Nickel salts—titanium anode baskets—buffing cleaners and compounds.
Convertible Pool Prods. International Ltd. Scarborough, Ont.	Prefabricated swimming pool systems.
Fluid Power Ltd. Rexdale, Ont.	Hydraulic cylinders and systems.
Foam Form Canada Ltd. Scarborough, Ont.	Polystyrene building systems.
Garrett Mfg. Ltd. Rexdale, Ont.	Communications emergency beacons; flight instruments automatic test sets; aircraft temperature controls.
Maple Roll Leaf Co. Ltd. Windsor, Ont.	Hot stamping foil.
Beaver River Potteries Scarborough, Ont.	Hanging flower pots.
The Candle Factory Sarnia, Ont.	Hand dipped and hard carved candles.
Pecon Aluminum Ltd. Downsview, Ont.	Suntyme do-it-yourself aluminum and glass greenhouse.
Royal Plastics Ltd. Weston, Ont.	Plastic extrusions, flexible, rigid and dual.
Swing Stage Ltd. Scarborough, Ont.	Window washing and maintenance scaffolding.
Thaler Metal Industries Ltd. West Hill, Ont.	Portable light tower and power plant.
Waste Control Systems Ltd., Division of Axler Ltd. Toronto, Ont.	Vertical hydraulic baler and runs off the standard electrical outlets.
Aircraft Appliances & Equipment Ltd. Bramalea, Ont.	Generators/Power Plants from ½ to 30 KVA output. Filters and coalescers for aircraft, marine and industrial applications.



Company Name and Location	Products
Air Guard Control of Canada Ltd. Downsview, Ont.	Automatic timed aerosol dispensing system (out BVT actuator) plus related aerosol products—Konk insecticide, Klass air freshener, Kancel air sanitizer, Klenze air sanitizer, Kountdown air sanitizer, Komfort medicated vapour.
Canada Wide Services Ltd. Toronto, Ont.	Complete large refrigerated warehouse (turn-key design and construction).
Cantol Ltd. Don Mills, Ont.	Specialty chemicals for industrial and institutional uses.
Emco Ltd. London, Ont.	Plumbing fixtures and fittings (large variety).
Flangeklamp of Canada Ltd. St. Catharines, Ont.	Suspended ceiling systems—exposed and concealed types—demountable partitions.
Grigor Fire Apparatus Toronto, Ont.	Fire fighting equipment, brass valves, nozzles, fittings, plastic fog nozzles.
Shaver Poultry Breeding Farms Ltd. Cambridge, Ont.	Poultry breeding stock, animal health products, feed concentrates—technical services.
Varian Associates of Canada Ltd. Georgetown, Ont.	Magnetometers, travelling wave tubes, computer terminals.
Artistic Woodwork Co. Ltd. Downsview, Ont.	Wooden picture frame mouldings.
Cleancare Equipment & Consultants Mississauga, Ont.	Floor and carpet cleaning equipment.
Edwards Owen Sound, Ont.	Electrical and electronic signalling equipment for fire protection, security and monitoring.
Fab-Met Manufacturing St. Jacobs, Ont.	Rink ice resurfacing machines, ice edge trimmer, hockey puck thrower for practice sessions.
Hillerich & Bradsby Co. Ltd. Wallaceburg, Ont.	Hockey sticks, baseball bats, golf clubs.
Leigh Metal Products Ltd. London, Ont.	Door hardware, stove ventilation hoods, air control products, garden tank sprayers.
Outdoor Outfits Ltd. Toronto, Ont.	Parkas, team jackets, raincoats, industrial outerwear, crests.
Wesco Fabrication Rexdale, Ont.	Synthetic web slings.
Creators (Canada) Ltd. Weston, Ont.	Plastic trim (simulated metal) for the automotive industry.
Hoselton Studios Ltd. Colborne, Ont.	Aluminum sculptures (birds and animals of Canada).
Lovat Tunnel Equipment Inc. Rexdale, Ont.	Tunnel perforating machinery and accessories.
Surpass Chemicals Ltd. Scarborough, Ont.	Lubricant additives.

Company Name and Location	Products
Trans-Canada Life-Ware Ltd. Oakville, Ont.	Cookware in stainless steel, electric fryers.
Western Stress Industries Toronto, Ont.	Industrial radio—graphic equipt. for examin- ing defects in materials and parts.
Altco Hydraulics Ltd. Richmond Hill, Ont.	Electric hydraulic pumps.
Canadian Original Handicrafts (Toronto) Ltd. Scarborough, Ont.	Wooden figurines.
Cubic Storage Systems Etobicoke, Ont.	Pallet racking and shelving.
Maverick Marketing Ltd. Scarborough, Ont.	Sonos construction/building toy.
Pro-Eco Ltd. Mississauga, Ont.	Processing equipment for handling and pack- aging steel.
Sutton Tool & Die Mfg. Co. Ltd. Brantford, Ont.	Table saw.
Trillium Industries Markham, Ont.	Trillium fibreglass travel trailer.
McKee Bros. Ltd. Elmira, Ont.	"Stack n Mover" for handling hay straw etc., "Corn Hog"—grinder for high moisture corn.
Sabre Saw Chain Ltd. Burlington, Ont.	Saw chain for power saws (wood); drive sprockets for chain.
Sellick Equipment Ltd. Harrow, Ont.	Rough terrain, heavy duty fork lift trucks.
Polygon Industries Ltd. Toronto, Ont.	Dry type distribution transformers to 300 KVA; dry type power transformers to 4000 KVA; indoor unit sub-stations.
Can-Eng Ltd. Niagara Falls, Ont.	Industrial furnaces, ovens, incinerators, cast- ings (high nickel high chrome).
B & K Machinery Int'l. Ltd. Mississauga, Ont.	Processing equipment for metal strip.
Markham Electric Ltd. Agincourt, Ont.	Electrical switchgear 5 to 46 kv. Metal clad switchgear 5 kv. Outdoor sub-stations up to 230 kv.
Canadian Met-Craft Industries Ltd. Waterloo, Ont.	Fireplace furnishings, ornamental wrought iron screens tools and accessories.
A. MacGilivray Chemicals Ltd. Paris, Ont.	Household cleaners, lamp oil, fondue fuels.
Mini-Maid Products Ltd. Downsview, Ont.	Portable water-powered dish washers.
New Hites Fashion Ltd. Toronto, Ont.	Contemporary styling, junior misses pants and jackets—medium price lines.
Metalsmiths Co. Ltd. Don Mills, Ont.	Contract office furnishings and accessories, desks, chairs, soft seating, tables, wood and metal custom work.



**Company Name and Location****Products**

Heading Sales & Consultants Ltd.  
Downsview, Ont.

Tooling for the cold heading industry flow-minutor.

John Hart Handbags Ltd.  
Toronto, Ont.

Ladies handbags.

H. J. Langen & Sons  
Rexdale, Ont.

Packaging equipment.

Merrick Hydraulics Inc.  
Hamilton, Ont.

Hydraulic work platforms.

Ovaac 8 International Inc.  
Toronto, Ont.

Electro multi-spectro data analysis and correction equipment.

Standard Cap & Seal (Canada) Ltd.  
Smithville, Ont.

Closures, caps, etc., for yoghurt ice cream containers, milk bottles, etc.

Hamilton Porcelains Ltd.  
Brantford, Ont.

Component parts for high voltage air magnetic circuit breakers.

C.T. Windows Ltd.  
Pickering, Ont.

Extruded aluminum window frames.

Ernest Delorme & Associates Ltd.  
Tillsonburg, Ont.

Concrete and asphalt batching plants, mobile and stationary), concrete mixers, asphalt storage systems, air vibrators, sand and gravel screening and washing plants, road building machinery, dust filters.

Land Ranger Manufacturing Inc.  
Brantford, Ont.

Pick up covers, slide in campers (for North American and Japanese pick-up trucks).

XLO London Ltd.  
London, Ont.

Milling machines and production machines for the automotive industry.

Jeamar Winches Ltd.  
Thornhill, Ont.

Winches.

Noremco Leisure Products  
Hamilton, Ont.

The unstucker; wheel mounted winch.

Robert Sopher Ltd.  
Hamilton, Ont.

Engineered fabric products.

E. F. Walter Ltd.  
Toronto, Ont.

Felt liners for winter boots; felt insoles.

Greb Industries Ltd.  
Kitchener, Ont.

Work boots.

Farm Automatic Reeding Ltd.  
Gorrie, Ont.

Feed processing systems for agricultural uses.

Gardner-Denver Company (Canada) Ltd.  
Scarborough, Ont.

Drilling equipment, air compressor tunnelling equipment for under-ground mining and construction, gas compressors for gas pipeline, pipeline drilling equipment, petroleum exploration equipment and water well.

J.F. Farm Machinery Ltd.  
Exeter, Ont.

Field cultivators and row crop cultivators.

Levine Bros. Hides Ltd.  
Toronto, Ont.

Hides.

Company Name and Location	Products
Thaler Metal Industries Ltd. Scarborough, Ont.	Portable flood light system for emergency use.
Wentworth Mould & Die Co. Ltd. Hamilton, Ont.	Injection plastic moulds.
Fred Braunoehler Products Scarborough, Ont.	Film processor.
Cable-Lock Connectors Ltd. Weston, Ont.	Cable connectors and electronic components.
Pavemaster of Canada Ltd. Scarborough, Ont.	Asphalt spreader.
Rapid Cover Ltd. Welland, Ont.	Truck covers.
P. L. Robertson Manufacturing Ltd. Milton, Ont.	Fasteners.
Lorad Industries Ltd. Toronto, Ont.	Whil-O-Way countertop dishwasher.
Thomson-Gordon Ltd. Hamilton, Ont.	Elastomeric bearings.
Energy Conservation Ltd. Toronto, Ont.	Infra-red space, portable and process heaters.
Gran-Al Industries Ltd. Stevensville, Ont.	Re-cycled paper backed scrap aluminum foil for production of aluminum granules.
Kent Chemical Co. Ltd. Mississauga, Ont.	Bio-degradable chemical cleaning solvent.
Niagara Pools International Inc. Oshawa, Ont.	Swimming pools—in-ground and above.
Pecon Aluminum Ltd. Downsview, Ont.	Knock-down hobby aluminum greenhouses—boltless inter-locking sections.
Ray-Flo Products Ltd. Hamilton, Ont.	Roll forming machinery for aluminum eaves-troughing downspouts, rain carrying goods.
Conestoga Machine Breslau, Ont.	Custom designed automated machinery for food processing industry.
G.S.W. Metalwares Ltd. Hamilton, Ont.	Office waste baskets.
Hovertec Inc. Concord, Ont.	Hovercraft—recreational vehicle.
Imperial Furniture Mfg. Co. Ltd. Stratford, Ont.	Bedroom and diningroom furniture contract furniture for institutional residences, hotels, motels, custom or standard lines.
Miles Associates Toronto, Ont.	Head sets, microphones, cable assemblies.
Webster Air Equipment Ltd. London, Ont.	Air compressors, spray paint equipment and accessories.
Building Products of Canada Acton, Ont.	Pipe-plastic.



Company Name and Location	Products
EASTERN ONTARIO DEVELOPMENT CORP.	
Fisher Gauge Ltd. Peterborough, Ont.	Precise zinc die castings.
Lindsay Specialty Products Ltd. Lindsay, Ont.	T.V. Antenna systems, CATV systems and MATV systems.
Delcanda International Ltd. Ottawa, Ont.	Engineering services, specializing in transportation, housing and municipal services.
Huyck Canada Ltd. Arnprior, Ont.	Kenwood blankets.
Epitek Electronics Ltd. Ottawa, Ont.	Custom microcircuits (design & production).
Jarry Electronics Ltd. Hawkesbury, Ont.	Components for electronics industry. Coils, transformers, converters.
Stegg Electric Ltd. Belleville, Ont.	Precision screw machine products. Electromagnetic relays.
Atomic Energy of Canada Ltd. Ottawa, Ont.	Cobalt 60 Medical Therapy equipment, medical linear accelerators, radioactive isotopes and associated equipment.
Joel H. Mazer Jewellery Ltd. Belleville, Ont.	High quality costume jewellery. Silver and gold charms.
Curtis Products Ltd. Cobourg, Ont.	Office, contract and cafeteria chairs, recreational furniture, stools, tables, student desks, coat racks office partition systems and accessories.
N. R. Systems Ltd. Ottawa, Ont.	Data and telegraph transmission equipment, frequency division multiplex, time division multiplex.
Bally Refrigeration of Canada Ltd. Brockville, Ont.	Refrigerated buildings for food processing industries.
Stewart-Hartshorn Ltd. Renfrew, Ont.	
Canadiana Pottery Ltd. Ingleside, Ont.	Ceramics and giftware.
Featherlite Leisure Products Inc. Cobourg, Ont.	Fibreglass truck campers,
Calama Homes Ltd. Portland, Ont.	Shell-type structures, wood frames supplied on a KD basis.
ESB Wilson Canada Ltd. Trenton, Ont.	Safety belts and lanyards, harnesses, helicopter cargo lifting net, life safety nets, material handling slings, safety clamps.
Bata Engineering Batawa, Ont.	Shoe manufacturing machinery; hydraulic cylinders.
The E. B. Eddy Company Ottawa, Ont.	Fine papers, household tissue products, packaging papers and specialty paper.

Company Name and Location	Products
The Bell Shirt Co. Ltd. Belleville, Ont.	Wooljac shirts, camper coats.
Deacon Bros. Sportswear Ltd. Belleville, Ont.	Down-filled parkas, ski jackets.
C-Tech Ltd. Cornwall, Ont.	Sonar equipment for military and fishing applications.
Ashton Furniture Manufacturing Co. Ltd. Arnprior, Ont.	Bedroom furniture sets, Scandinavia designed, 8 models.
Ottawa Brass Ltd. Ottawa, Ont.	"Heirloom Series" brass beds and brass headboards, all standard sizes, all brass, highly polished and protected with clear "varethane".
Bomar Canada Ltd. Ottawa, Ont.	LED displays for hand held calculators, clocks and watches and industrial instruments.
Joel H. Mazer Jewellery Ltd. Belleville, Ont.	Hi-quality, Hi-fashion Ladies' and Men's Costume Jewellery. Heavy Silver Plated, Gold Plated, Rhodium Plated, Fired Enamel Designs on most pieces.
Caravelle Carpets Ltd. Cornwall, Ont.	Tufted and needle felt carpeting.
Philips Cables Brockville, Ont.	Power and telecom cables.
Polyfiber Ltd. Renfrew, Ont.	Cold weather Shelter; Equipment Houses.
Electro Developments Ltd. Gananoque, Ont.	SCR power controls.
<b>NORTHERN ONTARIO DEVELOPMENT CORP.</b>	
Jarvis Clark North Bay, Ont.	Trackless mining equipment — low hand dumpers.
J. S. Redpath Ltd. North Bay, Ont.	Mining Contractors — mine development — shaft sinking mine design — engineering and project management.
Three H Manufacturing Ltd. New Liskeard, Ont.	Furniture manufacture, KD wall unit study desks, bedroom suites.
Donbay Industries Ltd. North Bay, Ont.	Prefinished hardwood, parquet flooring for application by do-it-yourself.
Hedman Mines Ltd. Timmins, Ont.	Cationic fibre (serpentine industrial filler).
Timmins Auto Springs Ltd. Timmins, Ont.	Logging trailers, Feller-Delibre, Feller-Buncher.
Earlton Manufacturing Co. Ltd. Earlton, Ont.	Lightweight fibreglass insulated trailer.

#### ONTARIO TRADE MISSIONS 1974

##### ONTARIO DEVELOPMENT CORP.

Cornelius Manufacturing Co. Ltd. Rexdale, Ont.	Can and bottle vending machines.
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**Company Name and Location****Products**

Cramco Solder Alloys  
Scarborough, Ont.

Solders — various alloys and flux.

Electric Power Accessories Co. Ltd.  
Brampton, Ont. L6W 1K5

Specialty overhead electrical distribution conductor hardware and street lighting luminaires.

Wm. Engel Co. Ltd.  
Toronto, Ont.

Table and floor lamps, swags and incandescent fixtures.

GSW Ltd.  
Fergus, Ont.

Domestic water systems, swimming pool equipment, effluent handling equipment, and contractors pumps.

Moyer Vico Ltd.  
Weston, Ont.

School furniture and equipment.

Perrin-Turner Ltd.  
Toronto, Ont.

Industrial/commercial refrigeration.

Greening Donald Ltd.  
Hamilton, Ont.

Wire rope, cloth and screens, perforated metals and specialty wire.

King Seagrave Ltd.  
Woodstock, Ont.

Fire fighting apparatus, building and assembly of fire trucks using commercially built chassis and aerial for de-icing aircraft.

Ontario Building Materials Ltd.  
Toronto, Ont.

Pan brick wall system.

Sepramatic Corporation Ltd.  
Hamilton, Ont.

Mechanical separation of meat and rendering chicken fat.

Slater Steel Industries Ltd.  
Hamilton, Ont.

Pole line hardware.

Sternson Ltd.  
Brantford, Ont.

Concrete add mixtures particularly water reducing types. Concrete surface hardeners and liquid curing compounds.

Ramsden Manufacturing Ltd.  
London, Ont.

Custom aluminum castings, sand castings, permanent mold, pressure die.

Burkhardt Jewellery  
Toronto, Ont.

Jewellery, precious metals.

Guelph Engineering Company  
Guelph, Ont.

Diaphragm control valves.

Trend-Pak of Canada Limited  
Scarborough, Ont.

Licensing agreement for mailing tube container and folding equipment.

Advanced Extrusions Ltd.  
Penetang, Ont.

Aluminum monoblock aerosols up to 1¾ in. in diameter, 7 in. in length, decorated in 4 colour offset machine. Collapsible aluminum tube, size as above. Technical extrusions to specification.

Tilley of Canada  
Toronto, Ont.

Leather accessories for men and women, wallets, etc.

Desitron Company Ltd.  
Mississauga, Ont.

Microwave components, microwave circuits.

Bulldog Lacing Ltd.  
Hamilton, Ont. L8R 2W3

Metal belt lacing for conveyor belts.

Company Name and Location	Products
Cam-Hi Safety Equipment Ltd. Rexdale, Ont.	Polyethylene hard hats.
Canadian Urethane Soles Ltd. Hamilton, Ont.	Urethane soles for shoes.
Hallmark Packaging Machinery Ltd. Markham, Ont.	Automatic auger filler.
Owl Instruments Ltd. Willowdale, Ont.	Cordotomy system for relief of pain in cancer patients. RF generator/stimulator for relief of facial pain. Portable cutaneous electrical stimulator for treatment of chronic benign pain.
Pharma-Medica of Scandinavia Markham, Ont.	Urine diagnostic test device.
Prothane Limited Toronto, Ont.	Moulded urethane products for industry. Custom fabrication work. Tires and wheels, bearings. Standard mill shapes (round bar stock, square and rectangular bar stock, tube stock, sheet stock).
W. P. Thorn Ltd. London, Ont.	Metal fender mounted mirror for use with campers and travel trailers. Portable propane barbeque.
Scandi-Craft Ltd. London, Ont.	Super tool, Twilites (modular candle system) Galaxie.
Ferranti-Packard Ltd. Toronto, Ont.	Electromagnetic display systems.
Stevens-Hepner Co. Ltd. Port Elgin, Ont.	Personal care products.
BMV Mfg. Ltd. Rexdale, Ont.	Patio furniture.
Clark Equipment of Canada Ltd. St. Thomas, Ont.	Logging and earth-moving equipment.
Kleen-Stik Products Ltd. Malton, Ont.	Pressure-sensitive paper and foil.
Woodway Structural Components Ltd. Burlington, Ont.	Swimming pool accessories.
Security Credit Systems Ltd. Markham, Ont.	Credit cards.
Creta Ltd. Fort Erie, Ont.	Training and educational equipment for electronics and electricity — technical and vocational schools.
Chinook Chemical Corp. Ltd. Toronto, Ont.	Methylamines, dimethylformamide, choline chloride, organic peroxides, chemical specialties.
Computer Data & Control Ltd. Mississauga, Ont.	Computerized process, control systems and industrial automation equipment.
Johnson Matthey & Mallory Ltd. Toronto 15, Ont.	High purity chemicals: specialized apparatus and the supply, refinement and fabrication of noble metals.



Company Name and Location	Products
Quality Plastics Ltd. Oakville, Ont.	Artificial insemination equipment for use with cattle, swine and poultry.
Euro-Can Industrial Sales Ltd. Mississauga, Ont.	Garden sheds, shelving, aluminum building products.
S. Kuretzky Furs Ltd. Toronto, Ont.	Fur fashions and fur and leather fashions.
Lisburn Mfg. Ltd. Cambridge (Preston) Ont.	Inherently flame retardant contract fabrics for drapery, acoustical screens and upholstery.
Precision Homes Corporation Rexdale, Ont.	Manufacturers of pre-fabricated permanent homes, leisure homes and a variety of other buildings.
Clearview Packaging Products Ltd. Scarborough, Ont.	Extruders, printers and converters of flexible packaging materials polyester oven bags.
Abtech Industrial Instruments Ltd. Toronto, Ont.	Speed sensing switches and electronic counters.
Parabola Company Toronto, Ont.	Decoframe.
Penthouse Camping Manufacturing Ltd. Toronto, Ont.	Car-to-camper.
Rowika Industries Limited Midland, Ont.	Spirit levels and inclination levels.
Superior Mfg. & Farm Equipment Simcoe, Ont.	Farm equipment (tobacco).
Think Tank Corporation Scarborough, Ont.	Think tank — for use in educational and self-improvement field.
A. D. Burford International Ltd. Downsview, Ont.	Electrical materials.
Dominion Auto Accessories Ltd. Toronto, Ont.	Automotive lighting, mirrors, reflectors and marine hardware equipment.
Dufferin Steel Ltd. Rexdale, Ont.	Low cost housing mass production system.
B.F. Goodrich Canada Ltd. Kitchener, Ont.	Rubber, plastic manufacturing.
Tillsonburg Pipe & Supply Co. Ltd. Tillsonburg, Ont.	Well drilling and mining equipment.
Westeel-Rosco Ltd. Toronto, Ont.	Grain storage equipment.
Abal-Steffens Manufacturing Weston, Ont.	V-grooving and folding equipment. Kitchen counter top manufacturing equipment.
Deco Tools (Canada) Ltd. Scarborough, Ont.	Specialty spray painting tools equipment and accessories.
Industrial Mechanical Specialties Ltd. Thornhill, Ont.	High pressure water cleaning unit — 500-1200 PSI.

Company Name and Location	Products
Mirtone Industries Weston, Ont.	Residential, commercial and industrial intercom system.
Phoenix Paper Products Ltd. Weston, Ont.	Specialty papers for school use.
Sandtron Electronic Industries Ltd. Oakville, Ont.	Industrial process controllers.
Tribar Industries Ltd. Weston, Ont.	Speed control radar for police and railway use.
Viking Pump Co. of Canada Ltd. Scarborough, Ont.	Specialty rotary pumps for industrial, chemical or petroleum industries.
Webster Manufacturing (London) Ltd. London, Ont.	12-volt portable air compressor.
Zeus Manufacturing Ltd. Toronto, Ont.	Polyurethane covered wheels, rollers and custom polyurethane products.
Beautiline Systems Ltd. Downsview, Ont.	Structural display systems, store fixturing and merchandizing units.
Chemacryl Plastics Ltd. Toronto, Ont.	Acrylac molding compounds (polymethyl methacrylate) (PMMA).
Hawker Siddeley Canada Ltd. Toronto, Ont.	R.R. freight cars, subway cars, lumber and forestry equipment, oil drilling equipment.
McPhar Geophysics Ltd. Don Mills, Ont.	Geophysical instruments for ground and air-borne mineral exploration.
Canada Wire & Cable Co. Ltd. Toronto, Ont.	Wire and cable.
Federal Pioneer Electric Ltd. Toronto, Ont.	Electrical distribution equipment.
Redma Consultants Ltd. Toronto, Ont.	Consulting services. Supply of complete canning facilities as turnkey projects.
Thomson-Gordon Ltd. Hamilton, Ont.	Thordon bearing materials for marine, mining and sugar industries.
Provincial Crane Ltd. Niagara Falls, Ont.	Electric overhead and special purpose cranes.
Centaur Mfg. Co. Ltd. Richmond Hill, Ont.	Electronic ignition systems and English analysis equipment.
Canadian Worcester Controls Ltd. Scarborough, Ont.	Valves — petrochemical and industrial.
Crane Carrier (Canada) Ltd. Rexdale, Ont.	Construction equipment: crane carriers; drill rig carriers; log loader carriers; ready-mix trucks; dump carriers.
Fathom Oceanology Ltd. Port Credit, Ont.	Military towed sonar systems; Offshore oil exploration towing systems.
Linear Technology Inc. Hamilton, Ont.	Integrated circuit amplifiers for hearing aids.
Pacific Prefab Homes & Cottages Ltd. Port Union, Ont.	Prefab wooden homes and cottages.



Company Name and Location	Products
Premium Forest Products Ltd. Scarborough, Ont.	Wooden louvered doors, shutters, etc.
Thomson Research Associates Ltd. Toronto, Ont.	Chemical compounds for application to textiles, plastics, paint, adhesives and non-wovens.
Balthes Farm Equipment Mfg. Ltd. Tillsonburg, Ont.	Equipment for mechanizing row crop operations: transplanting, cultivating, spraying.
Canadian Pacific Hotels Ltd. Toronto, Ont.	World wide hotel operations.
Champlain Power Products Ltd. Toronto, Ont.	Capital projects on a design and supply basis.
Eaton Yale Ltd. Woodstock, Ont.	Timber harvesting machinery, mining machinery.
Varian Associates of (Canada) Ltd. Georgetown, Ont.	Microwave tubes, power supplies, proton magnetometers.
North American Engineering Ltd. London, Ont.	Waste disposal equipment, snow making equipment.
C.C.M. Ltd. Weston, Ont.	Bicycles.
Stanners & Aylon Ltd. Toronto, Ont.	Panelized concrete masonry system.
Watrous Sales Inc. Agincourt, Ont.	Architectural plumbing wall units.
Ontario Building Materials Ltd. Toronto, Ont.	Brick veneer wall panels.
Dominion Fence & Wire Ltd. Bramalea, Ont.	Vinyl-clad chain link fencing.
Kemp Products Ltd. London, Ont.	Returnable plastic milk containers.
Pioneer Marketing Associates Willowdale, Ont.	Metal polishes, silver-plate restorer.
Brooks Manufacturing Company Ltd. Toronto, Ont.	Artificial fireplace, fireplace furnishings.
I.B.L. Industries Ltd. Burlington, Ont.	Materials handling equipment.
Rafel (Lama-Lo Designers) Toronto, Ont.	Jewellery and handcrafted art costume jewellery.
BACG-Simpson Ltd. London, Ont.	Electronic meters. Oscilloscopes.
Croven Ltd. Whitby, Ont.	Circuit breakers for small loads.
Edmunds Newhall Associates Ltd. Rexdale, Ont.	Data communication modems and acoustic couplers.
Electrohome Ltd. Kitchener, Ont.	Data display monitor modules.

Company Name and Location	Products
Ferranti-Packard Ltd. Toronto, Ont.	Electromagnetic display systems.
Graphico Precision Works Ltd. Scarborough, Ont.	Printed circuit boards.
Marsland Engineering Ltd. Waterloo, Ont.	Transformers, speakers, tuners, resistors.
Micro Circuits Ltd. London, Ont.	Manufacturing service for assembly and wiring of computer back panels.
Renfrew Electric Company Ltd. Toronto 8, Ont.	Relays, connectors, terminal strips. Wall plates and receptacles.
J. P. Associates Ltd. Toronto, Ont.	Computer time sharing service for automated management procedures.
Westinghouse Canada Ltd. Electronic Systems Division Hamilton, Ont.	CRT alpha numeric video display terminals and systems.
Edwards-Day Ltd. Toronto, Ont.	Hunting, fishing, archery accessories. Baby harness, dog harness, school bags.
I.T.E. Circuit Breaker (Canada) Ltd. Mississauga, Ont.	Circuit breakers and related electrical equipment.
Payton Associates Ltd. Scarborough, Ont.	Blood platelet aggregation modules.
Stanley A. Grant Ltd. Toronto, Ont.	Embroidered emblems and badges.
The Timberland Ellicott Ltd. Woodstock, Ont.	Tensioning equipment.
Timmins Trailers Ltd. Timmins, Ont.	Forest harvester.
Trigild Ltd. Rexdale, Ont.	Word processing. Acoustic covers for office machines.
Armalux Glass Industries Rexdale, Ont.	Window and door sealed double glaze units for the building industry.
Clark-Davis Ltd. Toronto, Ont.	Coats, suits and dresses (cotton, wool).
Herzig-Sommerville Ltd. Toronto 3, Ont.	Offset reproductions, lithographic plates, etc.
Starline Packaging Ltd. London, Ont.	Vinyl products, polishing compound.
Stock Wooden Toys Williamsford, Ont.	Educational toys and furniture for pre-schoolers.
Canweld Systems Inc. Mississauga, Ont.	Stress welding equipment and technology.
Ferplas Industries Ltd. Huron Park, Ontario.	Patented strapping fasteners and polyester cord strapping.



Company Name and Location	Products
Sinclair Radio Laboratories Ltd. Concord, Ont.	Multicoupling equipment and techniques in VHF and UHF frequency bands for all types of mobile communications, also antenna.
Total Metal Recovery Services Ltd. Toronto, Ont.	Patented electrolytic silver recovery units, film stripping silver recovery plant, training and marketing expertise.
Urethane Products Canada Ltd. Mississauga, Ont.	Urethane industrial products and tires.
Aleph Industries Ltd. Downsview, Ont.	Illuminated address fixture.
Dashwood Industries Ltd. Centralia, Ont.	Windows.
Jocan Machinery Ltd. Mississauga, Ont.	Automotive hoist.
Lanson Mats (Canada) Ltd. London, Ont.	Electric carpets floor switches for use in conjunction with automatic swing and sliding doors.
Linac Systems International Ltd. Scarborough, Ont.	Power and communications column.
Wildwood Farm Services International Inc. Embros, Ont.	Bedding keeper for dairy farms.
Sterling Varnish Company St. Catharines, Ont.	Epoxy powder coatings.
Stevens-Hepner Co. Ltd. Port Elgin, Ont.	Brooms (curling, broomball) brushes, etc.
National Refractories Ltd. Port Robinson, Ont.	Unit construction refractory linings.
K. N. Crowder Manufacturing Ltd. Mississauga, Ont.	Builders' hardware.
Gray Forgings & Stampings Ltd. Bramalea, Ont.	Hand tools for industrial and commercial.
Anglo Traders Ltd. Toronto, Ont.	Tents/camping equipment.
Rivendell Studios Incorporated Bracebridge, Ont.	Decorative candles.
Romet Ltd. Mississauga, Ont.	Positive displacement, industrial rotary meters for natural gas/electricity.
Steelcraft Upholstered Office Furniture Co. Ltd. Concord, Ont.	Office seating.
Centralized Insurance Management Ltd. Rexdale, Ont.	A complete system for proper financial control for general insurance agents.
Rafel (Lama-Lo Designers) Ltd. Toronto, Ont.	Jewellery and handcrafted art.

**Company Name and Location**

Cleancare Equipment & Consultants Ltd.  
Mississauga, Ont.

Moyer Diebal Ltd.  
Jordan Station, Ont.

Equi-Med Ltd.  
Guelph, Ont.

Emco Plastics  
Brampton, Ont.

Watrous Sales Incorporated  
Agincourt, Ont.

G. H. Wood & Company Ltd.  
Toronto, Ont.

York Medical Services  
Thornhill, Ont.

Graphico Precision Ltd.  
Scarborough, Ont.

Edmunds Newhall Associates Ltd.  
Rexdale, Ont.

Hawker Siddeley Canada Ltd.  
Orenda Division  
Toronto AMF, Ont.

Atomic Energy of Canada Ltd.  
Mississauga, Ont.

Canadian Research Institute  
Don Mills 400, Ont.

DiffraCo Ltd.  
Windsor, Ont.

Scintrex Ltd.  
Concord, Ont.

AL & W. Ltd.  
Bramalea, Ont.

Campbell Manufacturing Co. Ltd.  
Downsview, Ont.

Electro-Assemblies Inc.  
Mississauga, Ont.

Electronic Surveillance Corp.  
Willowdale, Ont.

Key Fobs Ltd.  
Burlington, Ont.

M.M. Products  
Stoney Creek, Ont.

**Products**

Industrial and commercial carpet cleaning equipment and maintenance cleaning equipment.

Food and drink service vending machines.

Postule drainage board, A-Cysto Kit, Deep mist tent assembly, medication nebulizer assembly.

Nyco output receptacle, plastic medi-dispenser.

Surgical scrub stations, drawer type bed pan cabinets, washroom accessories.

Sanitation supplies.

Portable X-ray equipment.

Printed circuits, single and multi-layered.

Data communications products.

Versatile engineering.

Nuclear power reactor, design and project management, radio therapy equipment.

Colour gloss measurement instrument, educational electrical instrumentation, instruments for electrical public utilities, fault detector in power lines and transformers.

Laser systems non-contacting for high resolution, measurement of dimension, displacement and strain with application to quality control, civil engineering and research.

Geophysical instruments.

Automobile bicycle carrier and steel carrier and aluminum bicycle stand.

Golf clubs, golf balls and accessories.

Cash security systems for small businesses.

Electronic fire and burglary alarm systems.

Key fobs, key cases, wallets.

Synthetic marble products.



Company Name and Location	Products
Jax Mold & Machine Ltd. Simcoe, Ont.	Tire molds.
Interflex International Toronto, Ont.	Flexible interchangeable component system for laboratory.
Beaver Electronics Ltd. Toronto, Ont.	Cable television equipment; (Specialized antennas and towers; co-axial connectors, consulting engineering).
Abacus Industrial Equip. Company Ltd. Oakville, Ont.	Industrial process air heaters.
Emoh Sales & Mfg. Ltd. Rexdale, Ont.	Outdoor electrical lighting (Bollard), emergency lighting.
Can-Eng Sales Ltd. Niagara Falls, Ont.	Industrial furnaces, material handling equipment.
Vulcan Equipment Co. Ltd. Toronto, Ont.	Vulcanizing and retreading equipment, automotive service equipment, towing equipment.
Embree Industries Ltd. Hamilton, Ont.	"The Unstucker" — wheel mounted winch.
Waltec Industries Ltd. Wallaceburg, Ont.	Plumbing fixtures for residential, institutional and laboratory, stainless steel sinks, industrial non-ferrous components.
Kearney-National (Canada) Ltd. Guelph, Ont.	Disconnect switches, fuse cut-outs, connectors and tools.
McKee Bros. Ltd. Elmira, Ont.	McKee Stack 'N' Mover and related products (straight mover, grinder, etc.).
Neeco Industries Ltd. Burlington, Ont.	Elevating emergency warning and flood-lite system.
Slater Steel Industries Ltd. Hamilton, Ont.	Electric power transmission line hardware, and custom engineering items.
Helmach Roth Ltd. Willowdale, Ont.	Lint brushes, lint rollers, rug cleaning attachments, rug rake.
Mimik Ltd. Galt, Ont.	Machine tool control systems.
Stanley-Taymouth Ltd. Toronto 18, Ont.	Moveable partitions, architectural landscaping.
Taylor Soaps & Perfumes Ltd. Don Mills, Ont.	Luxury toilet soaps — own label and custom packed.
Centralized Insurance Management Ltd. Rexdale, Ont.	Complete system for financial control for general insurance agents.
Sanitation Equipment Co. Ltd. Downsview, Ont.	Portable toilet systems for O.E.M. rural homes, trailers, marine.
Advance Automated Equipment Ltd. London, Ont.	Vibratory feeder, automatic screwdriver.
Barbel Mfg. Co. Ltd. Bolton, Ont.	Door frames, prehung door units, wood staircases, sliding doors, bifold doors.

Company Name and Location	Products
C.P.I. Vampco Ltd. Strathroy, Ont.	Custom prime aluminum windows, curtain wall and sash, doors and frames.
Display Arts Toronto, Ont.	Window and interior display background, flexiglass merchandisers, store fixturing, photographic blow ups and silk screen panels.
Dominion Luggage Co. Ltd. Toronto, Ont.	Moulded and soft-sided luggage.
Industrial Gauge & Instrument Ltd. Niagara Falls, Ont.	Electronic strobe units.
Sinoski Engineering Ltd. Willowdale, Ont.	Steel membrane roof structure.
McFarlane Grendron Mfg. Ltd. Toronto, Ont.	Pool tables, baby carriages, doll carriages, etc.
Lo-Lift Corporation Ltd. Mississauga, Ont.	Materials handling equipment.
Price & Knott Mfg. Ltd. West Hill, Ont.	Automatic random case sealer.
Hills-McCanna Canada Ltd. Mississauga, Ont.	Valves, pumps, electric and pneumatic actuators etc.
Irwin Toys Ltd. Toronto, Ont.	Gym sets, toys, etc.
Trelawney of Canada Ltd. Weston, Ont.	Bath boutique items.
Grigor Fire Apparatus Ltd. Toronto, Ont.	Fire protection equipment.
Sonotrol Systems Ltd. Rexdale, Ont.	Custom designed acoustic products.
Mathews Brothers Etobicoke, Ont.	Manufacturers of decorative wood mouldings and picture frames.
Mariton Ltd. Downsview, Ont.	Baby cribs, children's furniture.
Cosa Nova Fashions Ltd. Toronto, Ont.	Leather and suede jackets and coats.
Fursyn Mfg. Co. Ltd. Toronto, Ont.	Ladies' and children's synthetic pile slippers.
Sunspot Plastics Inc. Scarboroiugh, Ont.	Vacuum formed industrial parts, sailboats, dinghys, canoes, outdoor backhouses, floating docks, rooftop carriers.
Automotive Hardware Ltd. Toronto, Ont.	Bolts nuts and automotive products.
C.E.T.A. Ltd. Fort Erie, Ont.	Electrical training and educational equipment.
Canadian Pacific Hotels Ltd. Toronto, Ont.	Hotel and restaurant management, airline catering, industrial catering.
Guy Chart Tools Ltd. Pickering, Ont.	Automobile frame and body repair equipment, hydraulic, pneumatics and accessories.



**Company Name and Location****Products**

Husky Floor Machine Co.  
Mississauga, Ont.

Industrial maintenance equipment, vacuum cleaners, carpet steam cleaning machines, floor waxers, polishers and scrubbers.

J. F. Farm Machinery Ltd.  
Exeter, Ont.

Agricultural machinery, cultivators, tillers, rakes, loaders, dozer blades, rock pickers, scrapers, augers.

Seneca Wire of Canada Ltd.  
Richmond Hill, Ont.

Insect screen cloth.

Barriwood Toys  
Burlington, Ont.

Wooden toys.

Bernzomatic Ltd.  
Toronto, Ont.

Infra red paint peeler, propane torches, bicycle exerciser converter, bicycle seat for child, Christmas light gutter hanger.

Dunham-Bush of Canada Ltd.  
Weston, Ont.

Radiator steam traps and valves.

HFL Ltd.  
Waterloo, Ont.

Grandfather, grandmother clocks, quality custom made office furniture, do-it-yourself precut clocks.

Jacuzzi Canada Ltd.  
Rexdale, Ont.

Swimming pool equipment and accessories.

Otema Industries Ltd.  
Scarborough, Ont.

Store fixture equipment, custom metal fabricating.

Taylor Garage Doors of Canada Ltd.  
Rexdale, Ont.

Steel garage doors—solid and folding.

Artistic Jewellery Company Ltd.  
Toronto, Ont.

Ladies' Costume Jewellery.

Lanico Industries Ltd.  
Scarborough, Ont.

Electronic Controls, Meters and Accessories for The Chemical Industry, for Education and Electronic Laboratories.

Safety Supply Company  
Toronto, Ont.

Safety and Protective Clothing and Apparatus (Caps, Safety Shoes, Safety Gloves, Goggles etc)

Strite Industries Ltd.  
Hespeler, Ont.

Highly Sophisticated Precision Parts for the Electronic, Nuclear and Mechanical Industries.

Acres Consulting Services Ltd.  
Toronto, Ont.

Consulting Engineering services marine field.

Acres International Ltd.  
Toronto, Ont.

Constulting Engineering services general.

Aerofall Mills, Ltd.  
Mississauga, Ont.

Grinding Mills.

Garland Commercial Ranges Ltd.  
Toronto, Ont.

Gas and Electric Commercial Cooking Equipment.

Canadian Hanson Ltd.  
Toronto, Ont.

Buffing Compounds, supplies and equipment for metal finishing industry.

James F. MacLaren Ltd.  
Willowdale, Ont.

Consulting Engineering Services.

**Company Name and Location****Products**

Novocol Chemical Mfg. Co. of Canada Ltd.  
Toronto, Ont.

Anaesthetics for dental surgeries and laboratories.

Carriere Technical Industries  
Scarborough, Ont.

Auto test equipment, wire winding, overhaul facilities for instrumentation & Engine accessories (military approved).

Custom Leather Products Ltd.  
Kitchener, Ont.

Men's leather goods: belts, shaving kits, industrial tool pouches, etc.

Dominion Aluminum Fabricating Ltd.  
Toronto 18, Ont.

Aluminum fabrication for mining, chemical, pulp and paper, pollution.

Edmunde Newhall Associates Ltd.  
Toronto, Ont.

Data communication systems.

W. R. Elliot Co. Ltd  
Kitchener, Ont.

Precision machining.

Fell-Fab Limited  
Hamilton, Ont

Industrial textile products.

Gilron Holdings Ltd.  
Scarborough, Ont.

Vending machines and pre-packaged ingredients for same.

Ferplas Industries Ltd.  
Strathroy, Ont.

Aluminum dump trailers, platform trailers, tensioning for packaging—cord X special synthetic tying cord.

Glendale Corporation  
Strathroy, Ont.

Prefabricated housing, mobile homes (industrial and commercial), travel trailers, fold-down camper units, motor homes, fibreglass components and boats.

John Hort Handbags Ltd.  
Toronto, Ont.

Leather handbags (also handbags from special fashion materials).

Ravens Trailers  
Orangeville, Ont.

Aluminum dump trailers, platform trailers, aluminum and magnesium panels and containers, Hovercraft decking.

Thorough-Bread Industries Ltd.  
Mississauga, Ont.

Bread mix and bread preparation equipment, complete in-store baking system.

The Canada Wood Specialty Co.  
Orillia, Ont.

Custom products, component wood parts, chopping boards, dowels, handles, hard wood flooring.

# **EASTERN ONTARIO DEVELOPMENT CORP.**

Guideline Instruments Ltd.  
Smith Falls, Ont.

Laboratory Standards Instrumentation; Instrumentation for electric utilities; Oceanographic Instrumentation.

Instronics Ltd.  
Stittsville, Ont.

Graphic to Digital Convertors; Touch Sensitive Digitizer.

Lindsay Specialty Products Ltd.  
Lindsay, Ont.

CATV and MQTV Antenna Components.

Computing Devices Co.  
Ottawa, Ont.

Avionic Displays, Custom designed and other special purpose computers. Data communication test equipment, Data processing



Company Name and Location	Products
Epitek Electronics Ltd. Ottawa, Ont.	Specialty circuits, Resistor networks and Printed capacitors.
Gandalf Data Communications Ltd. Ottawa, Ont.	Digital data and switching apparatus for private data networks.
Carson Luggage of Canada Ltd. Ottawa, Ont.	Luggage.
Canadian Kitkraft Enterprise Ltd. Ottawa, Ont.	Floppy disc memory units. Soldering kits.
E.D.A. Electronics Ltd. Ottawa, Ont.	Magnetometers. Radon detectors. Timers. Error recorders. Seminar training systems.
Inax Instruments Ltd. Ottawa, Ont.	X-ray fluorescence analyzer.
Jarry Electronics Ltd. Hawkesbury, Ont.	Coils and transformers. Temperature stable inductors.
Mitel Canada Ltd. Kanta, Ont.	Signalling system for combined tone ringing and public address via telephone set.
Information Science Industries Ltd. Ottawa, Ont.	Computer-based hospital information systems.
Hypernetics Ltd. Arnprior, Ont.	Electronic Instruments.
Fisher Gauge Ltd. Peterborough, Ont.	Precision Assembly Equipment and Zinc Die Cast Components.
The Peri Pump Co. Ltd. Trenton, Ont.	Peristaltic pumps and pollution samplers.
Louis Fischl Glove Company Prescott, Ont.	Fine leather gloves, men's & women's reversible wrap-around skirts & halters, fashion scarves, curling gloves.
Morton-Parker Ltd. Trenton, Ont.	Silver plated holloware & hotel ware.
New Struc Hambro International Ltd. Ottawa, Ont.	Structural floor system.
St. Lawrence Steel & Wire Gananoque, Ont.	Brassiere metals, corset stiffeners, curtain hooks etc.
Alphatext Limited Ottawa, Ont.	Computerized typesetting from manuscripts or from computer tape.
Bata Engineering Batawa, Ont.	Shoe manufacturing machines, military vehicle parts (cylinders), nuclear reactor components (shut off mechanisms, boosters).
Leak "X" Detection Devices Ltd. Ottawa, Ont.	Leak detection systems for pipe lines and warning of underground plant systems, proportional deflectometer.
Dominion Tape Sales of Canada Ltd. Cornwall, Ont.	Adhesive tapes (masking, electrical, vinyl, cloth, cellulose and others).
Deloro Stellite (Division of Canadian Oxygen) Belleville, Ont.	Precision casting by investment. Hardfacing of units. Heat treating.

**Company Name and Location****Products**

Purity Packaging Ltd.  
Peterborough, Ont.

Paper ict cream containers "Bulcan" ice cream containers, potatoe chip containers, nested paper ice cream containers, milk bottle caps, coffee creamer filling and sealing machines.

**NORTHERN ONTARIO DEVELOPMENT CORP.**

Four Seasons Chalet Ltd.  
Parry Sound, Ont.

Pre-cut vacation homes.

Canadian Longyear Ltd.  
North Bay, Ont.

Diamond Core Drills and equipment.

Sportspal Enterprises Ltd.  
Callander, Ont.

Birch bark simulated aluminum canoe.

McCallan & Associates Ltd.  
North Bay, Ont.

Nurses vinyl perma cap.



## 100. Mr. Moffatt—Inquiry of the ministry.

Will the Minister of the Environment table the results, conclusions and recommendations made in a study of water quality, marine life and other environmental consequences of the dumping of nuclear waste, by Eldorado Nuclear at the Port Granby site?

Answer by the Minister of the Environment:

The Ministry of the Environment has an ongoing water quality monitoring programme in Lake Ontario in the vicinity of the Eldorado Nuclear Limited Port Granby site to allow an assessment to be made of trends developing in pollutant levels in the Great Lakes as a result of the dumping of nuclear wastes. Generally, the levels measured in the lake have complied with the Ministry's water quality objectives. Minor violations of the public surface water supply criterion for radium-226 have been observed in the past to a maximum distance of 100 yards from the site. The most recent available data, i.e., from 1975, showed acceptable conditions in the lake. We are awaiting the results of sampling conducted on June 8 of this year. There are no existing water supplies in the area which could be affected.

## 106. Mr. McKessock—Inquiry of the ministry:

- (a) Will the Minister of Education table comparative data on the application by local boards of education of the provisions of his Administrative Memo No. 18, 1973, over the two years since it was issued; in particular, any available statistics on the equivalency of work experience as interpreted by the boards, and the average number of credits allowed in relation to time out of school, for various trades and apprenticeships thereto?
- (b) Will the Minister of Education table similar comparative data in respect of children who have been returned to community schools after spending a period of time in the care of the Provincial Schools?

Answer by the Minister of Education:

- (a) Administrative memorandum No. 18, 1973, titled "Equivalent Standing of Mature Students" (now incorporated into Circular HS 1) provides guidelines to board of education officials and secondary school principals concerning the allowance of diploma credits to students 18 years and over who return to study after a year or more out of school. The credit allowance is based on the learning experiences of the student while out of school and on his maturity. The basic purpose of such a credit allowance for mature students is to facilitate their advance placement and encourage them to work at senior division secondary school studies to achieve their diploma in a shorter time.

At this time, the ministry is not able to provide the comparative data requested by Mr. McKessock MPP on the application by local boards of education of the provisions of memorandum No. 18 outlined above. The ministry does not require that equivalent credits granted to mature students through the above provision be reported separately. They are included in a general grouping of "equivalent and unclassified credits", granted by principals and reported (on form 360) only when students successfully earn their secondary school graduation diploma. As this broad classification of credits includes the academic credits granted to students who transfer into the province as well as other special cases, analysis of such data could not provide the comparative data requested.

A special collection of such data from the schools is not considered practical at this time. The task would be costly and impose excessive demands on school resources to complete the necessary search of records. If gathered, tabulation of such subjective data in a comparative form would be quite questionable; particularly since "time out of school" is not the major consideration in the allotment of the 12 maturity credits. This can be appreciated from the following statement concerning the provision which appears in Circular HS 1: "Because maturity is not necessarily proportionate to chronological age, the decision regarding how many of the 12 credits will be allotted to any individual student is left to the principal or supervisory officer who will judge each case according to its merits."

- (b) The Minister of Education operates 16 schools where teachers are employed by the ministry and for whom the Provincial Schools Authority holds their contracts of employment. Twelve of these schools are in development centres and do not operate programmes at an HS 1 level. The four schools for the blind and deaf all operate programmes at the HS 1 level and students may progress to a secondary school graduation diploma.

Since the issuance of Administrative Memorandum 1973-74:18 only one of these schools has granted HS 1 credits which are covered by this memo. A 19-year-old pupil at the Earnest C. Drury School, Milton, who had been out of school for one year and who took a business-typing course of approximately 230 hours duration while away from school was granted three credits for maturity and the courses taken.

We have no record of students who have left a Provincial School, worked a while, and then returned to a community school.

114. Mr. Burr—Inquiry of the ministry:

How many times in the last five years has the Minister of Transportation and Communications been requested to install traffic lights on Front Rd. in the former town of La Salle? How many other Ontario communities of similar size situated on a provincial highway have no traffic lights?

Answer by the Minister of Transportation and Communications:

The ministry in the last five years has been requested to install traffic lights on Front Rd. in the former town of La Salle seven times. There are 26 municipalities in Ontario on provincial highways with a population similar to La Salle or greater which do not have traffic signals.

118. Mr. Cunningham—Inquiry of the ministry:

How many persons are currently involved in the administration of regional government in Ontario?

Answer by the Treasurer and Minister of Economics and Intergovernmental Affairs:

It is this government's view that municipal councils are responsible for their own administration. We do not, therefore, feel it is appropriate for us to try to keep tabs on how many administrative employees each region has. We suggest the member contact the various regions for this information.

120. Mr. Angus—Inquiry of the ministry:

Would the Minister of Industry and Tourism: (a) Endeavour to ascertain the name(s) of the contractors that those receiving NODC loans for the past five years have used in spending those loans and (b), would the minister further list the amount of money paid through NODC loans to individual borrowers to those contractors listed in part (a) of this question?

Answer by the Minister of Industry and Tourism:

NODC does not control the selection of the contractors. Contractors are chosen by the applicants. As long as the construction conforms to the plans submitted and is within the estimated cost, NODC requirements are met.

The information requested is private information to the borrowers.

122. Mr. Angus—Inquiry of the ministry:

Would the Minister of Industry and Tourism: (a) Table all plans related to the expansion of CKPR-CHFD Television into northwestern Ontario; and (b) indicate what direction CKPR-CHFD was given by NODC regarding expansion into Northern Ontario; and (c) what commitment was given by the Canadian Radio-Television Commission to approve such expansion.

Answer by the Ministry of Industry and Tourism:

The question is taken to refer to expansion into northwestern Ontario beyond the existing coverage of the Thunder Bay environs, by CKPR-TV, a CBC affiliate and CHFD-TV a CTV affiliate.

- (a) The "plans" for expansion throughout northwestern Ontario by the two TV services at Thunder Bay, are outlined in the proposal made by Thunder Bay Electronics



Ltd. in July, 1971, and June 1970. Phase I, the addition of the second TV service (CTV) has since been completed with the aid of financing through the NODC.

- (b) Thunder Bay Electronics Ltd, the owner of stations CKPR-TV and CHFD-TV has been given no direction by NODC regarding expansion. Progress toward such expansion would be a factor in connection with forgiveness of the performance loan authorized in May, 1972.
- (c) There appears to be no commitment by the Canadian Radio-Television Commission to approve such expansion, beyond the stated objective that such expansion should be done and be carried out by the present licence holders.

## TELEVISION COMMUNICATIONS IN NORTHWESTERN ONTARIO

### An Imaginative But Practical and Logical Proposal

THUNDER BAY ELECTRONICS LTD., JULY, 1971.

#### Preface

Northwestern Ontario is a vast section of Canada containing an area of 213,000 sq. ms. It's population is less than a quarter of a million people, 1.07 per cent of Canada's total. With approximately one person per sq. m. in such a significantly large geographical area, communication among its communities is vitally important in assisting the objectives of growth and development—in educating and informing—and in the strengthening of our regional identity.

Much of the above has already been recognized by the Ontario government in it's Design for Development Study: Northwestern Ontario Region. Among the study's recommendations, is the suggestion that there should be established a central radio and television centre in Thunder Bay which would emphasize Ontario and northwestern Ontario news content and extend such content into all parts of northwestern Ontario through existing repeater stations. We believe that Thunder Bay Electronics Ltd., can provide such a regional programming service that will truly best serve the interests of the people of northwestern Ontario through a combination of CBC, CTV, ETV, provincial, regional and local programming. It has been said that, "programming is the important thing in broadcasting and all the rest is house-keeping." We look forward to getting on to the business of programming but, unfortunately, we find that getting the house in order can be a very complex and, at times, frustrating ordeal. During the past several years, our firm has searched for solutions to the problems of instituting alternate television service in Thunder Bay. Our quest has taken us to Ottawa and Toronto innumerable times as well as throughout northwestern Ontario. In searching for solutions, often we unearthed only more problems. However, having been involved with this matter closely over the years—as residents of northwestern Ontario, as broadcasters, as businessmen and taxpayers, as Canadians and as compassionate human beings with a desire to see the cultural and social enrichment of our community and our neighbouring communities—we offer a proposal that is both practical and possible. We ask that the Canadian Broadcasting Corp. may be prepared to show leadership and establish a precedent by allowing a private broadcaster to programme CBC facilities. We ask that they continue to pay for the microwave costs in providing the basic CBC service to the rebroadcasting stations in Kenora, Fort Frances, Dryden, Sioux Lookout, Atikokan, Red Lake and Ear Falls. We ask that the CBC look at the total communications service our proposal offers the people in northwestern Ontario.

Of the CTV network, we ask for understanding in providing an affiliation agreement that will allow us to black out network commercials and at least retain our present level of national selective advertising revenue, which is the lifeblood of our service. We ask this of CTV in order to afford the kind of regional and local programming service deserved and desired by our audience.

Do we ask too much? Is it wrong to ask for northwestern Ontario what most other Canadians already have? We think not.

#### Television Communications for Northwestern Ontario

The Canadian Radio-Television Commission has shown great interest in the establishment of second service in areas of Canada presently served by a single television outlet. We believe extension of an additional service to all of northwestern Ontario is therefore most desirable in fulfilling certain objectives of the CRTC and that our proposal perhaps goes



even beyond these objectives by offering ETV programming as well as CBC and CTV basic services. We are therefore applying for the necessary licences to provide the extension of television services into areas of northwestern Ontario which might otherwise be neglected for many years to come. In 1970, our company proposed a regional television programming service for the areas of Atikokan, Dryden, Fort Frances, Kenora, Sioux Lookout, Red Lake and Ear Falls. Our suggestion to the Canadian Broadcasting Corp. at that time was to offer an Ontario oriented programme service in these areas presently served by the CBC out of Winnipeg, Manitoba.

This original proposal, along with correspondence related to the plan, and the CBC's ultimate rejection of the proposal, is contained at the end of this brief. It is interesting to note that since our initial proposal was presented to the CBC, there has been an attempt to increase and improve the regionally-oriented programming and news service fed out of Winnipeg to the rebroadcasting stations in these areas.

Our search for solutions to the television communications problems of northwestern Ontario has now led us one step further—regional and alternate service for the communities of Geraldton, Manitouwadge, White River, Wawa, Marathon and Beardmore. Again we must approach the CBC, which owns rebroadcasting stations in these areas, to consider a new proposal which now encompasses the entire northwestern Ontario region. It is our hope that the CBC will consider the effect of not only its own service in these areas, but the effect of what the concept of this brief offers in total to the residents of northwestern Ontario.

Our proposal is both complicated and costly. It involves the establishment of a privately-owned-and-operated microwave network by Thunder Bay Electronics Ltd. to distribute the basic CBC network service and regional programming to all existing transmitters in northwestern Ontario. This microwave network would be constructed to carry two separate TV channels, the second channel would feed new transmitters which we hope to establish in each of the 13 communities concerned.

The "second stations", including the originating station in Thunder Bay, would provide ETV programmes scheduled by the Ontario Educational Communications Authority from early morning until 8 p.m. Eastern Time, and CTV network programmes from 9 p.m. to 12:30 a.m. The 8-9 p.m. period would be available for regional or local programmes.

At the present time, we have engaged a firm of consulting engineers to study the technical aspects of our proposal and offer an estimate as to the costs of the entire microwave link, transmitters, antennae, etc. In addition to an expanded television service for viewers, 15 new jobs would immediately be created by the establishment of the alternate television service in Thunder Bay alone. The entire complex proposed could provide permanent working opportunity for as many as 40 people, not including a number of area workers who would gain employment during construction of microwave and transmitting installations.

As part of our company's presentation to the Canadian Radio-Television Commission, we intend to submit our plans to provide a daily 15-minute early evening regional newscast and a five minute late evening regional newscast to the 13 rebroadcasting stations in northwestern Ontario. This regional news would be immediately followed by local newscasts in Dryden, Kenora and Fort Frances.

The programme material for these regional and local newscasts would be gathered by three separate "mini-mobile" television camera and videotape-equipped vehicles operating out of Dryden, Kenora and Fort Frances. Videotapes of items of regional interest would be shipped daily to Thunder Bay for use in the Ontario and regional news, while items of only local interest would be used in the production of local newscasts in each of the three centres where these mobile units were based.

Each mobile would be visiting at least once a week the other areas where rebroadcasting stations are located. For example, the mobile unit based in Dryden would also visit the towns of Sioux Lookout and Hudson; the unit in Kenora would also visit Red Lake, Ear Falls and Balmertown; and the Fort Frances based mobile would also visit Atikokan and Rainy River.

A typical one-hour evening news programme would therefore probably be scheduled as follows: 6 p.m. National news (originating from Thunder Bay); 6:15 p.m. Regional weather (originating from Thunder Bay); 6:20 p.m. National sports (originating from Thunder Bay); 6:30 p.m. Regional and Ontario news and public affairs (originating from Thunder Bay and utilizing clips received from mobiles); 6:45 p.m. Local news, sports, public affairs and com-



munity events (originating in Dryden, Kenora and Fort Frances; Thunder Bay would originate for stations on eastern link).

Based on the success of the above, it would be desirable to provide a similar service to the Geraldton, Beardmore, Manitouwadge, Marathon, White River and Wawa areas as early as possible.

## A PROPOSAL FOR REGIONAL TELEVISION SERVICE IN NORTHWESTERN ONTARIO

THUNDER BAY ELECTRONICS LTD., JUNE, 1970.

Our proposal is to service the following rebroadcasting stations with programming from CKPR-TV, Thunder Bay, Ont.: Atikokan, Dryden, Fort Frances, Kenora, Red Lake, Sioux Lookout, Ear Falls.

The purpose of this proposal is to attempt to improve the service for viewers in the above areas by providing a more regional form of television programming via the CBC-TV affiliate in Thunder Bay. If there has been a precedent set by which to establish the corporation's policy on such a proposal, we refer to the rebroadcasting station in Shaunavon, Sask., which is owned by the CBC but programmed by CJFB-TV, Swift Current, the CBC-TV affiliate in that area.

Under the present circumstances, it seems unlikely that the CBC will, in the foreseeable future, be in a position to provide the type of service proposed by CKPR-TV for these northwestern Ontario communities. We believe such an arrangement would be an outstanding example of how co-operation between public and private broadcasting can best serve the interests of Canadians. It is our belief that such a regional service would do much to strengthen the identity of northwestern Ontario and help bring down the barriers of vast distances between these communities.

### Operation of Facilities

The seven rebroadcasting stations concerned are presently linked to a main microwave feed from CBWT Winnipeg to Kenora. Under our proposal, a new link between CKPR-TV, Thunder Bay and Atikokan would have to be established; however, the distance for microwave between Thunder Bay and Atikokan is approximately the same as the distance between Winnipeg and Kenora, so we cannot foresee any additional operating costs for the corporation as far as microwave charges are concerned.

### Programming

1. Necessary switching facilities would be installed at CKPR-TV in order to feed the full metronet service to the aforementioned rebroadcasting stations during those periods when CKPR-TV is not carrying the metronet service.

2. It is our intention to provide a rather unique but effective type of regional programming by means of a "mini-mobile" television camera and videotape recorder. We would specifically hire a news reporter to visit each area during the course of a week and record interviews with local townspeople, civic and political officials, news items, community interest highlights and other features. Such material would be used in the production of a 30-minute weekly programme for all stations in the region under the proposed title "Northwestern Ontario Roundup".

3. News reports from the "mini-mobile" would be used on all regular newscasts. Regional weather forecasts and sports reports would also be included daily.

4. The programme "Reach for the Top", which is produced by many of the CBC-owned-and-operated stations and affiliate stations, would be a programme we would produce at CKPR-TV involving participants from throughout the region. It is not necessary to go into details since the corporation is already familiar with this programme.

5. Ontario Ministry of Education programmes would be videotaped and delayed at CKPR-TV for release at the appropriate time for the rebroadcasting areas.

6. The possibilities for local news insertions would be investigated for the areas of Kenora, Fort Frances and Dryden.

In conclusion, the people at CKPR-TV are enthusiastic about the programming possibilities and the challenge of this proposal. We are convinced such a service is desirable and will more adequately service the needs of northwestern Ontario. We believe we can fulfil these requirements without adding a further burden to the present operating costs of the corporation in providing the primary Canadian television service via these seven rebroadcasting stations. We hope the Canadian Broadcasting Corp. will favour our proposition and we are prepared to discuss further details at any time.

123. Mr. Angus—Inquiry of the ministry:

Would the Minister of Consumer and Commercial Relations please table the number of transactions per store and the volume of liquor and beer sold per store, in all stores opened in the last five years; and compare the number of transactions of volume and sales for the period six months prior to the opening of the individual store, the six-month period following the opening of the store and the number of transactions and the volume of sales for the period of time from six months past the opening date to the anniversary of the opening.

Answer by the Minister of Consumer and Commercial Relations:

The information requested in Question No. 123 relating to the business activities of the sale of liquor and beer is not readily available. In fact, the gathering of this data would require an unreasonable amount of staff time and related costs to prepare.

131. Mr. Godfrey—Inquiry of the ministry:

In view of the aquifer pollution which has been shown by recent test well results in the York sanitation dump, will the minister delay further development of the Brock Rd. landfill site until there is absolute assurance that pollution will not occur?

Answer by the Minister of the Environment:

The York Sanitation Co. Ltd. landfill site commenced operation prior to the creation of the Waste Management Act and as such was not required to be designed according to ministry engineering standards. Therefore, it is now a matter of determining what impact the operation to date has had on the natural environment and whether continuing the operation is acceptable. The aquifer water quality to date is potable at the site boundary and the adjoining residential wells have not been affected.

In the case of the Brock north landfill, this site was required to meet the standards of this ministry prior to commencing operation, which means a thorough study of the geological/hydrological setting with compatible engineering design of contaminant control systems.

Therefore, the recent developments at the York sanitation site have no direct relationship with the Brock site and approval should not be further delayed.

102. Mr. Di Santo—Inquiry of the ministry:

(a) How many injured workers were referred to psychiatrists by the Workmen's Compensation Board for each year between 1970 and 1975; (b) of these referrals, how many resulted in a positive diagnosis; (c) how many of the psychiatric disturbances were attributable to the worker's accident; (d) has the board altered its policy toward psychiatric referrals during the period 1970 to 1975, and if so, in what manner?

Answer by the Minister of Labour:

Disabled workers are referred to many types of specialists by their attending doctors and by the board for consultation, treatment and advice, but collective records are not maintained as to the results of such referrals since the results relate only to each claim individually.

Summaries of medical accounts paid by the board, by specialty, are available for 1974 and 1975. In 1974, out of 673,950 accounts from 6,899 medical practitioners, a total of 1,321 accounts were paid to 106 psychiatrists. In 1975, out of 629,390 accounts from 6,943 medical practitioners, 1,332 were paid to 116 psychiatrists.

Specialists' consultations are for the purpose of determining treatment needs and entitlement for workmen individually, and the board has no statistics on an overall basis as to positive diagnosis, nor are statistics maintained as to the variables of relationships to accident or other factors.

The referral figures for 1974 and 1975 do not indicate a significant change in referral rate, and there has been no policy change relating to such referrals.



116. Mr. Cassidy—Inquiry of the ministry:

1. In years 1970, 1971, 1972, 1973, 1974, 1975, how many drainage works were approved for grants under the Drainage Act of Ontario and what was the total value of each year?

2. A. In each of the above mentioned years how many drainage works were completed within the cost estimated in the engineer's report as incorporated in the bylaw authorizing the work? B. How many exceeded the estimated cost by 25 per cent, but by less than 50 per cent? C. How many exceeded the estimated cost by 50 per cent and over? D. If over 50 per cent, by what percentage to the nearest five per cent did each project exceed the estimated cost? E. In D above, what was the name of the municipality, the date, the name of the project, name of engineers, the estimated cost and the final cost for each project?

3. In the projects undertaken in 1-A above: A. In how many did the engineer's fee remain within the estimate in the engineer's report? B. In how many did the engineer's fees exceed estimated fees by 25 per cent, but by less than 50 per cent? C. In how many did the engineer's fees exceed estimated fees by 50 per cent and over? D. If over 50 per cent by what percentage to the nearest 5 per cent did the actual fee exceed the estimated fee? E. In D above, what was the name of the municipality, the date, the name of the project, the name of the engineers, the estimated cost for engineer's fees and the final actual engineers fees?

Answer by the Minister of Agriculture and Food:

1. Year	Amount of Grant	Total Cost of Work	No. of Projects
1970-71	\$3,478,963	\$12,329,535	998
1971-72	3,757,086	13,545,548	972
1972-73	1,882,185	6,613,737	512
1973-74	2,299,983	8,061,634	567
1974-75	2,899,998	11,097,713	545
1975-76	3,768,712	14,867,149	703

2 and 3. The Drainage Act is permissive legislation which delegates to municipalities the authority to construct drains. For grant purposes, the ministry requires only selected information on actual costs of the drains. This information is certified as correct by the supervising engineer and an appropriate municipal official. The municipal records are scrutinized by the municipal auditors and are checked by ministry staff on a random basis. Since all the records are kept in the offices of the various municipalities in the programme, we are unable to provide the answers to parts 2 and 3 of the question.

With proclamation of the Drainage Act, 1975, as of April 1 of this year, we will be receiving copies of all engineers' reports. This would allow us to answer the question in the future.

## APPENDIX B

(See page 3851)

Mr. Stokes, from the Committee of Supply reported the following resolution which was concurred in by the House:

Resolved, That supply in the following amounts and to defray the expenses of the government ministries named, be granted to Her Majesty for the fiscal year ending March 31, 1977:

Office of the Lieutenant Governor	
Office of the Lieutenant Governor Programme .....	\$ 89,000
Office of the Premier	
Office of the Premier Programme .....	1,395,000
Cabinet Office	
Cabinet Office Programme .....	1,061,000
Management Board	
Administration Programme .....	172,036,000
Policy Development Programme .....	1,675,000
Management Board Analysis Programme .....	3,091,000
Management Audit Programme .....	567,000
Employee Relations Programme .....	686,000
Personnel Services Programme .....	1,545,000
Ministry of Revenue	
Ministry Administration Programme .....	4,034,000
Administration of Taxes Programme .....	17,947,000
Guaranteed Income and Tax Credit Programme .....	140,960,000
Municipal Assessment Programme .....	43,449,000
Ministry of Treasury, Economics and Intergovernmental Affairs	
Ministry Administration Programme .....	4,221,000
Ontario Economic Council Programme .....	852,000
Central Statistical Services Programme .....	1,632,000
Economic Policy and Intergovernmental Affairs Programme .....	3,574,000
Finance Programme .....	6,042,000
Urban and Regional Affairs Programme .....	61,635,000
Tax Reform Programme .....	384,335,000
General Financial Assistance Programme .....	12,040,000
Social Development Policy	
Social Development Policy Programme .....	2,015,000
Ministry of Colleges and Universities	
Ministry Administration Programme .....	4,905,000
University Support Programme .....	738,643,000
Colleges and Adult Education Support Programme .....	356,007,000
Student Affairs Programme .....	68,202,000
Ministry of Community and Social Services	
Ministry Administration Programme .....	11,217,000
Social Resources Programme .....	802,348,000
Developmental Resources Programme .....	171,908,000
Ministry of Culture and Recreation	
Ministry Administration Programme .....	3,925,000
Heritage Conservation Programme .....	15,550,000
Arts Support Programme .....	27,500,000



## Ministry of Culture and Recreation (continued)

Multicultural Support and Citizenship Programme .....	6,490,000
Libraries and Community Information Programme .....	34,375,000
Sports and Fitness Programme .....	19,940,000
Wintario Programme .....	36,000,000

## Ministry of Education

Ministry Administration Programme .....	15,616,000
Education Development and Administration Programme .....	1,778,778,000
Services to Education Programme .....	61,199,000

## Ministry of Health

Ministry Administration and Health Insurance Programme .....	968,316,000
Institutional Health Services Programme .....	2,329,417,000
Community Health Services Programme .....	76,962,000

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Government  
Publications

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Tuesday, July 13, 1976

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
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# LEGISLATURE OF ONTARIO

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TUESDAY, JULY 13, 1976

The House met at 2 p.m.

Prayers.

**Mr. Speaker:** Just before we call for ministerial statements, I will recognize the member for Renfrew North.

**Mr. Conway:** Thank you very much, Mr. Speaker. It is with a great deal of personal sadness that I rise today to report to this House that during the most recent part of the summer recess my predecessor, Mr. Maurice Hamilton, died very tragically in Round Lake, Ontario. I think that all members of this House will want to join with me today in extending to the Hamilton family our very deep and heartfelt sympathy on this irreparable loss of a man who served his country, his Parliament and his constituency through simplicity and fidelity with a great deal of honour over a long and distinguished career.

**Mr. Speaker:** Statements by the ministry.  
Oral questions.

## ANTI-INFLATION PROGRAMME

**Mr. Lewis:** I have a question of the Premier. Was it his intention to accede to the requests which have been made to the government by telegram and hand-delivered letters in the last 24 hours to have the provincial anti-inflation legislation go before a standing committee of the Legislature so that the various groups as yet unconsulted in these last nine or 10 months can be heard?

**Hon. Mr. Davis:** It was the thought of the government that when second reading is approved, and I assume from the opposition leader's question that it will get to the committee stage and that he has decided to support it on second reading, which I find to be extremely encouraging—

Interjections.

**Hon. Mr. Davis:** —because it's an indication of a degree of responsibility by that party that I really hadn't expected.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** While we're very interested in the views of those groups that are obviously affected, it is also relevant to point out to the Leader of the Opposition that these same groups during the fall months made their points of view known to members of this House, certainly to the government, and some of them to myself. I really don't see any useful purpose in having these views restated before a standing committee. I think they all know about and clearly understand though they do not agree with the existing federal legislation. They know what function the AIB has and has discharged so that really the issue that this House has to determine is the agreement being ratified in the manner that the government is suggesting. A debate as to the effect on the public sector is something that has been understood by people in the public sector, including the teaching profession. They've made representations to the federal government as members of local boards or employees of local boards.

I see no purpose in having it go to the standing committee. It would be better discussed here in committee of the whole House. I would say if there are any present here in the gallery, if they have any new points of view that they wish the government to consider between now and, say, 2 o'clock tomorrow, if there is something new that hadn't already been discussed—and it was discussed here at some length during the fall, if memory serves me correctly—then I would personally be delighted to receive them. I think it's fair to assume that their point of view is that they would like a provincial board.

I have read the OSSTF memorandum, or bulletin or what have you. This is a point of view that they held last fall which was debated here and which was discussed with them. While we would like to have any additional input and any new thoughts they might have, I think the intent of the government certainly at this moment is to have it go to committee of the whole House because we have discussed those issues at some length and this knowledge has been available to

members of the public sector for at least six or seven months.

### OMBUDSMAN'S REPORT ON PICKERING

**Mr. Lewis:** I have a further question of the Premier, if I may. What does he intend to do about, how does he intend to respond to, or how quickly would he reveal his views to the Legislature on the Ombudsman's Pickering report?

**Hon. Mr. Davis:** As is suggested under the legislation, I received a copy of a report from the Ombudsman in the latter part of last week. I must confess to the members of the House that I was enjoying—I don't know whether that's the right terminology—I was taking a few days' holiday. While the report itself is not that lengthy—

**Mr. Lewis:** Most of us were holidaying until the Premier pulled this House into session.

**Hon. Mr. Davis:** I understand the Leader of the Opposition was enjoying a holiday, and I'm delighted to see him here looking so refreshed.

**Mr. Reid:** I trust the Premier has given his lawyers a few holidays, permanently.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** It is not just the report itself, I think there are some very basic policy considerations inherent in that report. It's something I cannot assess, nor will I assess, lightly. I am meeting with the Ombudsman tomorrow morning, as a matter of fact, as a preliminary to having some discussion with him, because I think the implications are beyond, shall we say, the Pickering situation. It's the kind of thing that I just cannot assess in a matter of 24 hours, or say read it in 15 minutes and say it's an excellent report after that very close perusal. I am one of those, I must confess, Mr. Speaker, who has to think this through very carefully, and it is with that thought in mind that I am meeting the Ombudsman tomorrow morning.

**Mr. Lewis:** Supplementary: Since it would surely be unthinkable that that excellent document of the Ombudsman—which some of us have read line by line and thought quite devastating in its critique—should not be dealt with while this House is in session now on an emergency basis, can we have an undertaking from the Premier that his decision will be known before we recess, or sufficiently in advance of this next recess so that we may raise it through other avenues if need be?

**Hon. Mr. Davis:** Mr. Speaker, I can't give any undertaking to members of the House until I have had a discussion with the Ombudsman tomorrow morning. I think it would be presumptuous of me to give any sort of commitment before that meeting takes place.

**Mr. Singer:** Supplementary: Would it not be reasonable to put the report on the order paper for debate so that within the next two or three days we could debate it even without the Premier having to come to any conclusions on it, bearing in mind that if we don't debate it now it is unlikely that this Legislature is going to be able to debate it for perhaps two or three months, and it is a matter, to my mind at least, of the utmost public importance?

**Hon. Mr. Davis:** Mr. Speaker, I understand the member for Wilson Heights' interest in this report. We share a similar interest in the report. Maybe our assessment or point of view may not be exactly the same, but I think all members of the House are interested in it. I am interested in some of the broader implications inherent in the report. I am interested that it not be treated in any partisan fashion, because this government believes in the integrity of the Ombudsman's office. That, to me, is very basic, very fundamental, and I think it would be unfortunate if it were to become part of what would emerge as being a partisan consideration. That, to me, really undermines the concept and the position of the Ombudsman and I for one would like to find resolutions to this problem without that situation developing.

I would say with respect to the member for Wilson Heights, having listened to and read some of the observations already made, that the possibility of that happening is there. I think it is important if we are concerned and genuinely concerned about the position of the Ombudsman—I'm staying away from personalities—if we are interested in his office functioning in the interests of the people of this province, then we have to act responsibly.

I say with respect, Mr. Speaker, that I think this matter—the implications of that report, how it is handled, how it is treated—is one that is of great importance. So I would say to the member for Wilson Heights that I cannot at this time undertake that it will be on the order paper for a debate of the members of this House. I think that once again, it would be presumptuous of me to do this before my discussions with the Ombudsman tomorrow.

**Mr. Roy:** Supplementary: Knowing all of our concerns about not getting involved in



partisan aspects dealing with the Ombudsman's office, would the Premier not think it wise that maybe he should have talked to the Minister of Housing (Mr. Rhodes) and maybe curtailed some of his comments in relation to the report if the Premier wants to stay away from any partisan approach to that?

**Hon. Mr. Davis:** Mr. Speaker, I have read what my colleague, the Minister of Housing, has said. I have read parts of the Ombudsman's press conference, the part that has disappointed me somewhat, and I don't say this in a critical sense, because I understand how the public and the media can react to situations. In many respects the areas of agreement between the ministry and the Ombudsman are greater than the areas that some people have described as differences.

As I recall what the Minister of Housing has said, the ministry has accepted certain parts of that report. The discussion really is as to how and what vehicle is used to see that equity is done, equity in terms of the 44 individuals who are named in the report, equity in terms of the public and our responsibility to the general public and to find a vehicle that accommodates both those objectives.

[2:15]

As I say, I'm a little disappointed that when there are some areas of agreement, and there were, that really what I had read, listened to and had seen really concentrated on what might be described as variations or areas where there was not an acceptance. I am saying that perhaps we're really discussing a vehicle rather than a principle, although I can't identify that at this point until I have had my discussions with the Ombudsman himself.

**Hon. Mr. Rhodes:** Ask me.

**Mr. Cassidy:** He took on the Ombudsman head on.

**Hon. Mr. Davis:** No, he didn't.

**Mr. Roy:** Your vehicles are irrelevant now, John.

**Mr. Speaker:** Order, please. The Leader of the Opposition.

**Mr. Lewis:** How did the Premier start with vehicles and end with principles? That was an amazing feat, even for his circumlocution; extraordinary. The last 24 hours have trained him well.

**Hon. Mr. Davis:** Certainly it was a principle vehicle. You have used principle vehicles all your life—or unprincipled vehicles.

**Mr. Lewis:** May I ask the Minister of Housing: In his dispassionate and objective critique of the Ombudsman's report on Pickering he indicated that he had some alternative evidence to show that his position was in fact one-sided and lacking in overall perspective; when is he going to table that evidence before the Legislature, or when is he going to give us the material from the Ministry of Housing which disputes the Ombudsman's evidence?

**Mr. Shore:** Don't answer that, Mr. Rhodes.

**Mr. Ruston:** Don't ask the Attorney General.

**Hon. Mr. Rhodes:** Mr. Speaker, I think I indicated at the time the press asked that question that this material would be presented at the inquiry that I propose to deal with those 44 particular cases.

**Mr. Cassidy:** That's not good enough.

**Mr. Lewis:** By way of supplementary, since the minister puts it so specifically assertively now, do I take it that he still insists the inquiry will be the route and the Premier is meeting with the Ombudsman tomorrow morning to deliver the directive?

**Hon. Mr. Rhodes:** Mr. Speaker, I have indicated, I think very clearly, both in my statement and since, that it is my intention as I have said to make that proposal to my colleagues as a route to handle the situation as reflected in the Ombudsman's report.

I've also indicated that my proposal has not necessarily been accepted by the Premier or my colleagues. That has not been discussed, and at the present time the matter is to be discussed between the Ombudsman and the Premier as is provided for within the Ombudsman's Act.

**Mr. Nixon:** Two ministers to be fired.

**Mr. Singer:** Does the minister's report to the Premier imply any new or different system that the province might use in acquiring land in places like Pickering, or South Milton, or Ottawa, or anywhere else?

**Mr. Lewis:** Haldimand-Norfolk?

**Hon. Mr. Rhodes:** Mr. Speaker, I have not indicated any alternative. I did say at the press conference that I held concerning the report that I felt that perhaps in the areas where we are acquiring large tracts of land, such as the North Pickering project, it would be better to go directly to expropriation. That, of course, would not necessarily find great

favour in the eyes of certain members of the opposition—not the least of whom is the member for Wilson Heights.

**Mr. Singer:** Mr. Speaker, on a point of privilege, the gratuitous insult that just emanated from the minister indicates his ignorance, and if he'd read the debates on South Milton he would see what was very strongly advocated in that regard and resisted by his colleague, the former Minister of Housing.

**Mr. Speaker:** That is not a point of privilege.

**Hon. Mr. Rhodes:** Mr. Speaker, on that particular point, I wish to assure the hon. member I would never insult him gratuitously.

**An hon. member:** He's going to need a good lawyer.

**Mr. Cassidy:** Supplementary: Since the minister is so emphatic about the existence of this alternative and mysterious evidence which contradicts what the Ombudsman has brought forward, can he explain why he declined repeated offers from the Ombudsman to submit that evidence and to have it published without change in the Ombudsman's report on Pickering?

**Hon. Mr. Rhodes:** First of all, Mr. Speaker, the Ombudsman at no time made repeated offers. The Ombudsman did suggest very early in the preparation of his material that should the ministry wish to offer any rebuttal or any particular information that the ministry could provide, it would be attached to his report in the form of an addendum. We waited until we had draft material presented to us by the Ombudsman's office and discussions that were held as provided for in the Act.

At that time it became evident that the situation was such that anything that we would say or prepare would not in any way alter the direction in which the report was going. I couldn't see it as being equitable to the people of the ministry, who were being rather severely attacked, to put an addendum to the report when none of the material would have been used in any way to qualify the position that the Ombudsman was taking. So, at my direction, the staff was directed not to prepare the material to be included in his report.

We would not have had adequate time, I suggest. The initial amount of time given to me was about 10 days.

**Mr. Cassidy:** You were offered more time.

**Hon. Mr. Rhodes:** I was offered 10 days originally, in the original material presented to me; 10 days to answer that sort of material which was prepared over a period of six to eight months, and I didn't attempt to do it.

**Mr. Sargent:** It would take 10 days to cover up.

**Hon. Mr. Rhodes:** To cover up what—

**Mr. Sargent:** To cover up the whole mess.

**Hon. Mr. Rhodes:** —your shopping plaza?

**Mr. Speaker:** Order, please.

### PROPOSED NATIONAL PARK AT GRASSY NARROWS

**Mr. Lewis:** I have one last question, if I may. Can the Provincial Secretary for Resources Development report on the ministerial conference that was held about Grassy Narrows and Whitedog and specifically about the proposal for the national park and what implications it may have for the closing of the river system?

**Hon. Mr. Irvine:** I would be pleased to report on the meeting we had on Friday with the ministers of the federal government, who were the hon. Judd Buchanan, the hon. Marc Lalonde and the hon. Mr. LeBlanc, Minister of the Environment. With me I had my colleagues, the Chairman of Cabinet (Mr. Brunelle), the Minister of Health (Mr. F. S. Miller), the Minister of the Environment (Mr. Kerr), the Minister of Natural Resources (Mr. Bernier) and the Attorney General (Mr. McMurtry). Besides that we had representatives—

**Mr. Ruston:** Don't take advice from him.

**Mr. Speaker:** Order, please.

Interjections.

**Mr. Speaker:** The hon. minister.

**Mr. Singer:** Who advises you?

**Mr. Reid:** From the Supreme Court to Kenora.

**Hon. Mr. Irvine:** It just shows that the Attorney General is very sensitive to everyone's needs, that's all.

Interjections.

**Hon. Mr. Irvine:** To go on, I would like to say that besides that we had representation from the various native bands in the area, plus the Indian brotherhood and some of their associates. We had representatives from



two of the tourist associations. We had a meeting which went for one hour at which all were present that I have named. We discussed the various problems as related to the native bands, to the private enterprise organizations, to the federal government's responsibilities and to the provincial government's responsibilities.

After that, we had a meeting between the federal government representatives and ourselves. At that time, following about one hour or one hour and a half's discussion, we decided that the appropriate umbrella to use to handle this particular problem was for us to recommend to each cabinet that the proposal which had been previously suggested by Mr. Buchanan be accepted in principle, and we as ministers are going to propose this to our cabinet tomorrow. I have had the undertaking from Mr. Buchanan that he also will proceed as quickly as possible to have his cabinet consider the proposal. The deadline set was for the end of July, so that the native people would not be kept waiting. I was quite encouraged at the time as everyone seemed to be willing to co-operate to resolve a long outstanding situation.

As to the second portion of the question, I am not at this time able to give specifics because there are very many areas to be discussed at length and discussed immediately after a decision has been made. If the federal government will proceed as they have indicated they wish to, if we accept their proposal, then I will be delighted to report to the House as to what happens in the meetings after that.

**Mr. Stokes: Supplementary:** Is the minister aware that there have been ongoing negotiations for the last four years between the federal and the provincial governments with regard to the establishment of Pukaskwa National Park with no agreement signed yet? Does he anticipate the same kind of delays in establishing a park in treaty No. 3 area, and what kind of economic spill-off is going to satisfy the social and the economic needs of 700 native people in the area?

**Hon. Mr. Irvine:** I am certainly aware of the proposal as my colleague, the Minister of Natural Resources, is also. It's a much different proposal than what we are considering at the present time. I think what we have to recognize is that there is an interprovincial jurisdictional matter which we must consider very carefully, but I don't want at this time, until it is accepted by both governments, to get into any specifics. I would be delighted to bring them out in the open once we have agreed in principle.

## CULTURAL CONFERENCE

**Mr. S. Smith:** I have a question for the Premier. In view of the fact that since the Legislature adjourned last month there have been events which have tended to give extremists an opportunity to express opinions regarding Canada's official language policy—opinions which do not in fact reflect the opinions of the majority of responsible people in the country—and in view of the central position of Ontario in Confederation, would the Premier consider reinstituting the Confederation of Tomorrow Conference, as conceived by his predecessor, which I think did a lot when it was convened to give new leadership to cultural principles embraced in this country?

**Hon. Mr. Davis:** Mr. Speaker, I'm not contemplating convening a Confederation of Tomorrow Conference. This province is prepared to consider what I think is fairly basic to the future of this country, and that is the question of patriation of the Constitution. I think I made it clear to members of this House as to the position of this government with respect to that matter, and I anticipate that this will be discussed by the other Premiers at the annual Premiers' conference in Alberta in August.

I think that to go beyond that at this stage would not serve any useful purpose. I think there is some hope—and I qualify it by saying "some hope"—that certain progress will be made at that conference and that, in turn, there will be further discussions with the Prime Minister of Canada and his colleagues with respect to constitutional matters. But I could not say to the hon. member at this point that I contemplate convening a Confederation of Tomorrow Conference.

I think that was excellent at the time. I think a lot has happened since that time and I'm not going to comment on it one way or the other in terms of what has happened and the situation that we face today, but I really question as to whether any useful purpose would be served, particularly when the Prime Minister has made it, I think, quite clear as to the policy of the government of Canada and also his own personal views, and I assume he speaks for the government with respect to patriation and reform of our Constitution.

**Mr. S. Smith:** By way of supplementary, Mr. Speaker, would the Premier not agree that repatriation of the Constitution aside, just the question of the language policy of this country has recently come in for the kind of commentary which can only be described as



extremist, and intolerance seems to have become more legitimate than it should be, and would the Premier not agree that as Premier of a great province such as Ontario, he could show leadership which would be encouraging to our own francophone population in this province and to the anglophone minority in Quebec by showing that men of goodwill, decent people, are basically moderate and that it is time to rethink how we're going to accomplish the bilingualism that I'm sure he shares the desire for in this particular country?

**Mr. Samis:** He doesn't designate the province.

**Hon. Mr. Davis:** I think that we have provided within the province that kind of leadership and a programme that, by and large, has been acceptable.

**Mr. Cassidy:** The mayor of Hull doesn't think so. He went to jail because of it.

**Hon. Mr. Davis:** I think, Mr. Speaker, to presume once again to assume the responsibilities of the government of Canada would not serve any useful purpose. I like to think that all men in public life—and women, excuse me—are people of moderation and goodwill. We will find that out in the next two or three days as to whether or not my assessment is accurate or not, but I would like to believe that.

**Mr. Roy:** If I may ask the Premier a supplementary: Given his position today in response to my leader's question about the problem of the pivotal role played by Ontario and the fact that he feels that such a conference, at least on his initiative, could not be called at this time, does he not feel it important in the light of his latest comments about the leadership that should be given in this field by Ontario, that at least Ontario continue to give leadership in this field, and that given some of the events of late, not dealing with the air controllers' strike, it will be hard to convince certain people of the leadership that he says he is providing in this field, especially for instance the mayor of Hull who had to go to jail because he could not get a bilingual summons in the national capital?

**Hon. Mr. Handleman:** It came from the RCMP.

**Mr. Cassidy:** From the Ontario courts, it came.

**Mr. Speaker:** Order.

[2:30]

**Hon. Mr. Davis:** Mr. Speaker, I find certain isolated situations that are regrettable, but I'm saying that on balance we adopted a policy—I can recall the implications of it in the field of education in particular because I was very directly involved—that has by and large been acceptable, that has been moderate, that has been done without a great deal of public fanfare, and I think there has been a degree of acceptance here internally that is encouraging.

I recognize the particular point being raised by the hon. member. I think it is unfortunate that he would raise what I believe is an isolated situation which would, in his view perhaps, attack the overall programme and the objectives of the government which I think have gone relatively well.

**Mr. Cassidy:** Not universal in Ottawa.

**Mr. Speaker:** Order, please. Could we keep the question short instead of a long dissertation? Thank you.

**Mr. Roy:** Yes, I will. Just in response to the Premier, when he says "an isolated situation," I know they want to inflame the situation but the fact is that there are 22 people who have gone to jail.

**Mr. Speaker:** Your supplementary question?

**Mr. Roy:** Will you comment on that situation?

**Hon. Mr. Davis:** I am informed by the Attorney General (Mr. McMurtry) that that situation is in the process of resolution.

## RADIOACTIVITY AT PORT HOPE

**Mr. S. Smith:** A question for the Minister of the Environment: In view of the decision of the Atomic Energy Control Board last week ordering Eldorado to seek an alternative permanent dumping site for radioactive waste, and ordering an end to dumping at Port Granby by January, what steps is the minister taking to assist in the location of another site, and what steps in particular are being taken to protect the interests of Ontario residents? Is the minister involving himself in the studies ordered by the AECB to establish whether radioactive material is being leached into Lake Ontario?

**Hon. Mr. Kerr:** Mr. Speaker, we are continuously monitoring any leaching from the Port Granby site. My information is that there is no danger from that site as far as the quality of the water is concerned in Lake



Ontario at that location. As far as the decision of the AECB is concerned we are, of course, happy with that decision and also the conditions that were attached to the decision.

The intergovernmental committee that has been set up now for about three months, chaired by my deputy minister, will be working in an attempt to find an alternate site—which, of course, is the prime responsibility of the company, but there is no reason why that committee will not continue to attempt to find an alternate site. However, at the present time its prime responsibility and priority is to find a site to dispose of the nuclear waste that is in Port Hope, and which I understand is being stored on the company property in a warehouse at the present time. That is the prime responsibility—to find a site for that waste—and then, of course, we will deal with the matter referred to by the hon. member.

**Mr. S. Smith:** By way of supplementary, regarding the waste that the minister refers to from Port Hope, can he confirm that the estimate of the total waste in that area that's radioactive has climbed to close to a quarter of a million cubic yards? If, in fact, he can confirm that, can he explain how that material got spread around the town? Is he sticking to his original story that it was removed by residents without authorization?

**Hon. Mr. Kerr:** That was one of the situations—one or two of the situations. I think the main reason it was spread around the town is that there wasn't the knowledge that we have today as to the degree of radioactivity.

I am sorry, I forgot the first part of the hon. member's supplementary.

**Mr. S. Smith:** The amount.

**Hon. Mr. Kerr:** The amount has been estimated in various amounts. They are strictly guesstimates. There are about 100 sites—100 homes in the area, 100 locations in the area—that are found to have high readings of radioactivity and which will be involved in removal and are being involved in removal at this time.

**Mr. Moffatt:** Mr. Speaker, I would like to ask the minister if he, or his ministry rather, has submitted a list of alternative sites to the commission and to the Atomic Energy Control Board for the disposal of that material?

**Hon. Mr. Kerr:** No, the committee that I referred to—which membership includes the company and the Atomic Energy Control

Board, as well as at least two federal ministries and two provincial ministries—has decided on about four or five sites. They are properties owned by the federal government and it is my understanding that they are outside the immediate area, so one of those sites will be chosen.

**Mr. Peterson:** Is the minister prepared to tell the House quite specifically what standards he is using for radon gas levels—how many picocuries per litre in a school situation or a house situation? To the best of my information, he has never filed those numbers specifically and no one knows yet what standards he feels are appropriate.

**Mr. Speaker:** The question has been asked on this.

**Hon. Mr. Kerr:** As far as drinking water is concerned, it's three picocuries per litre. The Atomic Energy Control Board really has been studying the standards and those standards are acceptable to us. I would have to get those for the hon. member. It would take me another 10 minutes to read the various degrees and standards that our ministry is following for earth, for example, as well as water—emissions and things like that. I would be happy to give that to the hon. member.

#### CABINET DECISION ON BURLINGTON DEVELOPMENT

**Mr. S. Smith:** Could the Premier explain why the cabinet, after sitting on this matter for four years, has recently decided to give the go-ahead to a development in East Burlington, 6.7 acres of lakeshore property, when a provincially-funded study indicates that Burlington already has limited only 11 per cent of its shoreline for public access and recommends a much higher percentage for the public? Does the Premier place any importance at all on the allegation that the developer in question has recently made a maximum donation, even while the matter was under appeal to the cabinet, to the campaign of the member for Burlington South, the hon. Minister of the Environment?

Interjections.

**Hon. Mr. Davis:** I regret the last part of that question and I would hope the hon. member—

**Mr. Good:** Deny it.

**Mrs. Campbell:** Deny it.

**Hon. Mr. Davis:** —for Hamilton West would very carefully consider that part of his question.

**Mr. Cassidy:** Do you deny it?

**Hon. Mr. Davis:** I would say that cabinet deals with appeals. If the hon. member wishes to ask the chairman of that committee, the Minister of Revenue (Mr. Meen), as to the rationale for cabinet decisions, that's fine. I would ask the member for Hamilton West to very carefully consider the latter part of his question.

**Mr. S. Smith:** By way of supplementary, could the Premier elaborate on what he means by carefully consider? Does he, for instance, consider it appropriate that while a matter of development is on appeal at the cabinet it is an appropriate measure to offer a cabinet minister a political donation?

**Hon. Mr. Kerr:** Why didn't you ask me the question?

**Hon. Mr. McKeough:** Get out of the gutter.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I don't want to prolong this, but if the member for Hamilton West is suggesting that a contribution was made to the Minister of the Environment while a matter was under consideration by cabinet with the anticipation that would influence the Minister of the Environment, then I say he should have the intestinal fortitude to get up and make that accusation because that's the only interpretation—

**Mr. S. Smith:** I didn't say that.

**Hon. Mr. Davis:** —one can gain from that question.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. S. Smith:** On a point of privilege, Mr. Speaker.

**Mr. Speaker:** Order, please. I might point out to all members that it's improper to impute motives, either directly or indirectly, in this chamber, and if such motives—

Interjections.

**Mr. Speaker:** Order, please. Does the hon. member for Hamilton West have further questions?

**Mr. Bullbrook:** On a point of order, there was no imputation of motive and you know it.

Interjections.

**Mr. Speaker:** Order, please. I think if you will read the Hansard—

**Mr. Bullbrook:** A motive was imputed by the Premier.

**Mr. Speaker:** Order, please. I suggested if there was a motive imputed, either direct or indirect, it is improper. I am not saying that there was one but I just point that out as a warning. Does the hon. member for Hamilton West have any further questions?

**Mr. S. Smith:** No, I have no further questions.

#### STRIKE AT WINDSOR K-MART

**Mr. Bounsall:** Before I place my question to the Minister of Labour, I wish to compliment her on her very attractive summer attire. Having said that, will the minister involve herself directly to help resolve the strike between members of Local 705, Canadian Food and Allied Workers, and two large K-Mart department stores in Windsor, which has now gone on for six weeks, particularly inasmuch as 95 per cent of the 300 employees are women and the main issue is the very basic one of job security only?

**Hon. B. Stephenson:** Mr. Speaker, I shall most certainly investigate this particular dispute with the anticipation that we will be able, within the ministry, to find some reasonable avenue to assist in finding a solution for it. I have become involved rather personally in several disputes recently and it is a possibility that I may do so in this one, but I cannot commit myself at this time.

**Mr. Bounsall:** Supplementary: Mindful of the fact that this group of employees is seeking its first contract, and that it is the first store of K-Mart in Ontario in which employees have attempted to be organized, will the minister now very seriously consider introducing legislation providing for the imposition of first contracts in these situations, which of course would include, automatically, job security clauses and would materially aid in ending the exploitation of women in our work force?

**Hon. B. Stephenson:** I am sure the amendments to the Labour Relations Act of last year went a good distance toward removing



some of the inequities which did occur in the establishment of a first contract. This matter is under review by the ministry at the moment. I am hoping that in the fall session of the Legislature we shall have some remarks to make about it or some actions to bring before the House.

I really would like to say that I believe the exploitation of women workers in this province has, in fact, decreased considerably in the last several years. It is not entirely removed as yet, and I believe that it's primarily a social problem rather than an employer's problem. If the attitudes of some of the males in this province, and across this country, would change dramatically, we would have much less exploitation. And that attitude, I would like you to know, is not limited to any specific party. It happens to be universal; particularly in that party, that party and occasionally even in this one.

**Mr. Martel:** You have to really change the law.

#### PUBLIC HEALTH NURSES' NEGOTIATIONS

**Mr. O'Neil:** Mr. Speaker, I hope because I'm asking another question of the Minister of Labour I won't be looked down upon because I'm male.

I wonder if the minister could tell us what her ministry is doing in regard to the repeated requests by the Ontario public health nurses that they be granted the right to compulsory arbitration? Could she also report to the Legislature on what is being done to settle the many lockouts that exist between certain boards and nurses throughout the province?

**Hon. B. Stephenson:** Mr. Speaker, at the moment there are not many lockouts existing that have been established by the boards in the province. I believe there are five altogether out of 27 present disputes.

**Mr. Good:** Not many agreements.

**Hon. B. Stephenson:** However, at the moment we are still discussing, with both the Ontario Nurses' Association and the association of the boards of health, the possibility of reaching negotiated settlements. We have established five mediation processes, which are either in action at the moment or will be within the next few days. There will be some discussions, even among the groups which are presently locked out and their employers, within the next couple of weeks as well. We are very hopeful that, in fact, the boards and

the nurses together will find a solution to this present set of negotiations. They have both promised they are willing to sit down with us, after this set of negotiations is completed, to examine their problems in order to try to find a better route for solution to this recurring dispute between boards of health and public health nurses.

**Mr. Good:** Is it correct, then, to assume the minister has completely ruled out legislation that would require compulsory arbitration?

**Hon. B. Stephenson:** Mr. Speaker, it would be entirely erroneous to say that we've ruled out anything at all at the moment. We are trying to find avenues which are equitable for both parties; and that may in fact be legislation at some point in the future, it is not ruled out.

Interjections.

**Mr. Speaker:** Order, please; order.

#### DUNDAS PUC INQUIRY

**Mr. Deans:** Mr. Speaker, I have a question of the Minister of Energy. What advice, counselling or direction did he give to the town council of Dundas with regard to the recent investigation which he carried out into the PUC?

[2:45]

**Hon. Mr. Timbrell:** As the hon. member well knows, I have written to the administrative clerk of the town of Dundas answering council's resolution. It is now up to council to release that letter and deal with the course of action that I suggested to them.

**Mr. Deans:** A supplementary question: Since the council have made it apparent to everyone that they are unable to proceed themselves due to personal relationships among the council members, can the minister tell us whether he did recommend any course of action to be followed? Why is he reluctant to release publicly that which he was asked to look into?

**Hon. Mr. Timbrell:** Mr. Speaker, there is no reluctance for the information to be made public. I understand the council is meeting on either July 17 or 19. According to the press reports which I have seen from the Hamilton and Dundas areas, the letter will be tabled before council at that time and council will work on it. I have seen no indication that council will be unable to deal with

the matter, although the hon. member has suggested that some personal relationships will prevent this.

**Mr. Deans:** The minister makes it very difficult.

**Hon. Mr. Timbrell:** Undoubtedly it's always difficult, whether a member of the council, the Legislature or the federal Parliament deal with problem areas, but they have the capacity.

**Mr. Cunningham:** Given the confusion that relates to this whole problem with the Dundas PUC, does the minister not think it would be appropriate to establish an interim public utilities commission, or a board there, to serve between now and the next election so that some sort of leadership might take place in this particular area, given that the current members are so deeply involved in this?

**Hon. Mr. Timbrell:** First of all, the hon. member seems to have already tried and convicted certain people without any process of law at all.

**Mr. Cunningham:** They have only admitted it.

**Hon. Mr. Timbrell:** I understand that the two sergeants of the regional police force investigating the matter have completed that study. They have turned the material over to the Crown attorney for the region. It is now, therefore, in his hands and it is his prerogative to decide whether, in fact, charges will be laid and, if so, against whom and for what. Put that aside; it is in good hands.

As far as the commission is concerned, first of all the member will know that there is a restructuring study under way—or he should know if he reads the local press—for the region of Hamilton-Wentworth. As soon as that study is completed, and they have made the decisions at the local level as to whether it will be a series of local utilities or a regional utility, they will then file that report with Ontario Hydro, which will then make recommendations to me. I have told them that as soon as that is completed—and in their interests, obviously, the sooner the better—then I will bring a bill to this House.

### HOSPITAL CLOSINGS

**Mr. Sargent:** Mr. Speaker, I have a question of the Minister of Health. Since he has proven conclusively that his hospital closing programme was all political—

**Mr. Ruston:** And illegal.

**Mr. Sargent:** —and since that has been acknowledged by some of his colleagues, and now that he has had another addition to a hospital in his area, plus a new hospital in his riding, and we have chaos and cutbacks all over the province in hospitals, and now that the courts have ruled against the government, what is the position of these hospitals that the province has tried to close? Where do we stand now?

**Mr. Ruston:** What did he do with his own area hospital?

**Hon. F. S. Miller:** Mr. Speaker, I think that part of the question, at least, was incorrect. I was at the opening of a revised section of a hospital on Saturday in my riding. There was not even a single new wall. Some space that was previously a corridor was used, without any money from my ministry, either for capital or for operating.

**Mr. Ruston:** He will probably close them next year.

**Mr. Cassidy:** Do it yourself, eh?

**Mr. Eakins:** Where did the minister get the money?

**Hon. Mr. Davis:** Wintario funds.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** It was one of those rare cases where I was glad to attend something and take no credit at all.

**Mr. Lewis:** But did they offer you anything?

**Hon. F. S. Miller:** They asked me to give money, as a matter of fact, as an individual. The member knows that the issue is before the courts. He also knows that the hospitals are being permitted to operate, and he knows that they have been given budgets roughly comparable to last year's budgets until such time as the courts have ruled—so they are all functioning.

**Mr. Sargent:** A supplementary.

**Mr. Speaker:** The question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Timbrell tabled the annual report of the Ontario Energy Corp. for the period ended Dec. 31, 1975.

**Mr. Speaker:** Motions.

Introduction of bills.



## POINT OF PRIVILEGE

**Hon. Mr. Davis:** Mr. Speaker, before the introduction of the bill that this House has been called to discuss, I would like to rise on a point of personal privilege with respect to an undertaking which exists between myself and the member for Riverdale (Mr. Renwick), which has become publicly understood, I guess.

**Mr. Breithaupt:** Have the Attorney General (Mr. McMurtry) bring it over.

**Hon. Mr. Davis:** I want to make clear that this is a government that keeps its commitments, and I have in my hand here a plain brown envelope, which will be familiar to the member for Riverdale, as he deals with them rather regularly.

**Mr. Cassidy:** You should make it nine bucks for nine judges.

**Hon. Mr. Davis:** In it will be an amount not less than \$1, nor will it be more than \$1.10, under the Anti-Inflation Board guidelines. While members are exempt from the guidelines I guess, nonetheless I feel bound to stay within them.

I think it is also important, Mr. Speaker, to reaffirm that in my commitment to the member for Riverdale it is an indication of the commitment that we have as a government to the people of this province, which will be demonstrated conclusively by the Attorney General very shortly. I might also add that I asked no contribution to help in this from any of the law officers of the Crown, either provincially or federally.

I might further point out that I have made a very slight wager on a certain case involving the Philadelphia Flyers. I will not disclose to the House on whose side I am or what odds I have taken. Mr. Speaker, I want to deliver this to the member for Riverdale.

**Mr. Renwick:** Mr. Speaker, I willingly accept this most gracious donation. I did hope that we might meet in the centre of the House and that some photographer would take a picture of us for my campaign literature. In any event, in this time of restraint I can assure you that this money will be well and truly spent.

**Mr. Lewis:** Is it not possible for you to lose even a split decision?

**Hon. Mr. Davis:** All or nothing.

## ANTI-INFLATION AGREEMENT ACT

**Hon. Mr. McMurtry** moved first reading of bill intituled, An Act to ratify the entering

into of an Agreement under the Anti-Inflation Act (Canada).

The House divided on the motion, which was approved on the following vote:

AYES	NAYS
Auld	Angus
Belanger	Bain
Bernier	Bounsall
Birch	Breaugh
Breithaupt	Bryden
Brunelle	Burr
Bullbrook	Cassidy
Campbell	Davidson
Conway	(Cambridge)
Cunningham	Davison
Davis	(Hamilton Centre)
Drea	Deans
Eakins	Di Santo
Eaton	Dukszta
Evans	Ferrier
Ferris	Germa
Gaunt	Gigantes
Givens	Grande
Good	Laughren
Gregory	Lawlor
Grossman	Lewis
Hall	Lupusella
Handleman	MacDonald
Henderson	Mackenzie
Hodgson	Makarchuk
Irvine	Martel
Johnson	Moffatt
(Wellington- Dufferin-Peel)	Philip
Johnston	Renwick
(St. Catharines)	Samis
Jones	Sandeman
Kennedy	Swart
Kerr	Warner
Lane	Wildman
Leluk	Young
MacBeth	Ziamba—34.
Maeck	
Mancini	
McCague	
McEwen	
McKeough	
McKessock	
McMurtry	
McNeil	
Meen	
Miller	
(Haldimand-Norfolk)	
Miller	
(Muskoka)	
Morrow	
Newman	
(Durham-York)	
Newman	
(Windsor-Walkerville)	
Nixon	

## AYES

Norton  
 O'Neil  
 Parrott  
 Peterson  
 Reed  
 (Halton-Burlington)  
 Reid  
 (Rainy River)  
 Rhodes  
 Riddell  
 Roy  
 Sargent  
 Scrivener  
 Shore  
 Singer  
 Smith  
 (Hamilton Mountain)  
 Smith  
 (Hamilton West)  
 Snow  
 Spence  
 Stephenson  
 Taylor  
 Timbrell  
 Villeneuve  
 Welch  
 Wells  
 Wiseman  
 Worton  
 Yakabuski—75.

Clerk of the House: Mr. Speaker, the "ayes" are 75, the "nays" 34.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, I think some of the members, at least, of this House are aware that the Supreme Court of Canada has held that the agreement between the government of Ontario and the government of Canada providing that the federal Anti-Inflation Act and the national guidelines shall apply to the provincial public sector is not effective without the authorization of the Legislature.

Mr. Moffatt: That's a good lesson to learn.

Hon. Mr. McMurtry: The Anti-Inflation Act and guidelines have been considered to apply to the provincial public sector and many actions and decisions have been taken under them. It continues to be the government's

policy to support the federal anti-inflation programme in its application to the provincial public sector. This bill is, therefore, necessary to preserve the uninterrupted operation of the programme and the actions and decisions taken in carrying it out.

Mr. Speaker: Orders of the day.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Welch: Mr. Speaker, with the consent of the House I'd like to make a motion.

Mr. Speaker: Agreed.

Hon. Mr. Welch moved that notwithstanding any previous order the House will meet tomorrow at 2 p.m.

Motion agreed to.

Mr. Reid: Why not 10?

Hon. Mr. Welch: Just before moving the adjournment of the House, I know that some of the members of the House will want an opportunity, now, to consider the legislation introduced by the Attorney General. We will commence second reading of that particular bill tomorrow afternoon after question period.

Mr. S. Smith: I have a point of order. Could the House leader please explain why we can't meet tomorrow at 10 o'clock? Since we have all come back for this particular session, can we not get on with this business?

Mr. Lewis: Why don't we start at midnight?

Mr. S. Smith: Didn't the Leader of the Opposition agree to this?

Hon. Mr. Welch: Mr. Speaker, we did have meetings yesterday with the other House leaders and it was clearly understood that the official opposition wanted some opportunity to caucus on this legislation tomorrow morning.

Hon. Mr. Welch moved the adjournment of the House.

Motion agreed to.

The House adjourned at 3:30 p.m.



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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Wednesday, July 14, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
PARLIAMENT BUILDINGS, TORONTO  
1976

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# LEGISLATURE OF ONTARIO

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WEDNESDAY, JULY 14, 1976

The House met at 2 p.m.

Prayers.

**Mr. Speaker:** Statements by the ministry.

## METRO TORONTO HOSPITAL BED STUDY

**Hon. F. S. Miller:** I would like to inform the House about an important study that has been authorized by my ministry. I have asked the Ontario Council of Health, the senior advisory body to me on health matters in Ontario, to investigate the Metropolitan Toronto hospital bed situation and to make recommendations as to possible rationalization of beds in the area.

I should point out that this study in no way reflects on the recent Divisional Court ruling since it will cover the entire Metropolitan Toronto area.

**Mr. Singer:** First you close them; then you study them.

**Hon. F. S. Miller:** The terms of reference for the study are still being refined by my staff and the council but, broadly speaking, they will be designed to verify beds in service and their patterns of utilization. They will also recognize the specific teaching requirements of the University of Toronto. I expect the study will not only identify bed problems but offer guidance to the ministry in correcting current problem areas.

Finally, I'm hopeful that the council will be able to report to me by the end of the year.

**Mr. Renwick:** Why do you have that study now?

**Mr. Speaker:** Oral questions.

**Mr. Deans:** If you wonder why I am stalling, Mr. Speaker, I'm looking for my leader who is somewhere between the CBC and here. I would like to ask the House leader a question. I had anticipated that the Premier would be making a statement and maybe the minister could tell me why he isn't here to make it? It would be useful to all of us.

**Hon. Mr. Welch:** I'm sure the Premier is on his way.

**Mr. Deans:** He is somewhere between the Ombudsman and here, is he?

**Hon. Mr. Welch:** No, he is on his way.

**Mr. Deans:** I see. Well, we are okay now. We've been brought back to normal. Thank you very much.

## ELLIOT LAKE RETRAINING PROGRAMME

**Mr. Lewis:** I have a question of the Minister of Labour. Can she revise for the Legislature the views she put about the situation and the work training programme for Elliot Lake and explain why it is that the Workmen's Compensation Board has not functioned adequately in this role, as she indicated it would when she responded to us about the Globe and Mail stories some weeks ago?

**Hon. B. Stephenson:** I am somewhat at a loss to understand the purport of this question regarding the function of the Workmen's Compensation Board in this area. It is my understanding that the board is functioning well and that a majority of the workers affected by the studies, the examination of working level months, is participating in the programme. A minority has not as yet decided to participate in the programme but the members are in the process of making up their minds individually about whether they will or not. They are being encouraged to do so and will be aided by the Workmen's Compensation Board and the employers to do so if and when they do decide to participate.

**Mr. Lewis:** Did the letter from the Workmen's Compensation Board, disclaiming the allegations which occurred in the Globe and Mail, ever appear in the Globe and Mail? Has the minister yet retracted her statement that the union leaders supported the programme when they denied it utterly the day after she made it in this Legislature?

**Hon. B. Stephenson:** I am very happy that the hon. Leader of the Opposition has raised that specific question.

**Mr. Ferris:** You just happen to have it with you.

**Hon. B. Stephenson:** The letter has not as yet appeared in the *Globe and Mail* because the chairman of the Workmen's Compensation Board felt that he had to have personal verification of the facts which he had been given. He acquired those in a meeting with representatives of the unions and the union leaders at the beginning of this week, as a matter of fact. I have it on the word of Mr. Starr that the union leaders strongly support the programme of the Workmen's Compensation Board in this area.

The letter which was drafted to be submitted to the *Globe and Mail* has not as yet been submitted. I have not asked today whether it is intended to be submitted or not, but if it is, it will not be changed from the format in which I saw it because the figures are apparently correct and the attitude of the union leaders is as I reported it.

**Mr. Lewis:** One last supplementary: Can the minister table that information with the Legislature since none of it has appeared publicly as yet?

**Hon. B. Stephenson:** Yes, as soon as I have it in some sort of tabular form I shall be pleased to do so.

#### OMBUDSMAN'S REPORT ON PICKERING

**Mr. Lewis:** May I ask the Premier, what resolutions has he come to with Arthur Maloney? Ontario awaits.

**Hon. Mr. Davis:** I am not sure whether Ontario awaits or whether the Leader of the Opposition awaits.

**An hon. member:** It is the same thing.

**Mr. Lewis:** You walked into that.

**Hon. Mr. Davis:** Before I was interrupted, I was prepared to say that the two were not synonymous by any stretch of the imagination.

**Mr. Lewis:** I am inclined to agree.

**Hon. Mr. Davis:** I am glad you agree with me. I could go on but I won't. Yes, I have had two discussions with the Ombudsman today and we are having a further discussion tomorrow morning. I have nothing of a specific nature to say to the House, although I fully expect I will have something more

definitive before we possibly adjourn tomorrow.

While I am on my feet, Mr. Speaker, I notice in your gallery a former member of this House. I certainly would like to welcome the head of Ryerson Polytechnical Institute. It's obvious it is on its summer vacation or the former member for Peterborough would be hard at work at that institution. It's encouraging to see him continuing his educational career by joining us once again in the Legislature this afternoon.

I might say that I'm very pleased to recognize his presence, because since he has left the political arena, most of the time he speaks so encouragingly and so favourably about the former Minister of Education, the present Minister of Education (Mr. Wells) and the educational system of the Province of Ontario. It's always a pleasure to greet him anywhere, at any time.

**Mr. Gaunt:** Now we know why he got the job.

**Mr. Moffatt:** You are reading between the lines again.

**Mr. MacDonald:** Will there be time for replies?

**Mr. Lewis:** It might be nice to make him the next Minister of Education.

**Hon. Mr. Davis:** I would say—

**Mr. Lewis:** Walter, we love you—

**Hon. Mr. Davis:** —we've had converts before and I expect will again.

**Mr. Speaker:** Back to the question period.

**Mr. Lewis:** I trust you subtracted all of that from the question period, Mr. Speaker.

I'd like to press the Premier just a little about it. Can he give us an undertaking that if the statement he provides the House with tomorrow is not acceptable to Arthur Maloney, as Ombudsman, the Premier will have the report tabled in the Legislature and subject to debate before we adjourn?

**Hon. Mr. Davis:** Mr. Speaker, I think the Leader of the Opposition is assuming some things that may or may not happen. Certainly I would like to think that anything I say tomorrow will be generally acceptable as far as the Ombudsman is concerned. That does not—and I want this clearly understood, so there will be no misunderstanding in the press—that doesn't mean that the resolutions will be found, but hopefully what I may have to



say tomorrow would be acceptable to the Ombudsman.

**Mr. Lewis:** I put to the Premier again, by way of supplementary—and I don't consider it hypothetical because it's tomorrow—if Arthur Maloney, as Ombudsman, takes exception to the Premier's report, in part or in whole, will the Ombudsman's initial Pickering study be tabled with the Legislature and will we be provided with an opportunity to debate it before we adjourn?

**Hon. Mr. Davis:** Mr. Speaker, I know it's not hypothetical in the sense that we're not talking about something two weeks or a month away, however, the discussions are such that I really can't comment any more than I have. Quite obviously, there'll be a question period tomorrow, with the usual procedures. However, I'm relatively optimistic that what I have to say tomorrow will meet with his satisfaction.

**Mr. Singer:** Relating to the Premier's last answer, would the Premier not agree with me that there might be other methods of this House dealing with the report and agreement or disagreement, methods other than a debate in the Legislature? There might be resolutions, which the government might put forward or either of the opposition parties might choose to put forward. Merely setting aside time for debate, which might not come to any answer, probably isn't going to help the situation along at all.

**Hon. Mr. Davis:** Mr. Speaker, the member for Wilson Heights is more perceptive on this occasion than he is on some others.

**Mr. Singer:** Thank you.

**Hon. Mr. Davis:** I tend to agree.

**Mr. Lewis:** To put you both at rest, we will move a resolution.

#### REED PAPER AGREEMENT

**Mr. Lewis:** May I ask one final question of the Premier: Since there is such enormous concern over the proposed Reed Paper-government preliminary agreement in northwestern Ontario, can he, as Premier, give us a specific statement about where things stand and what it is intended the preliminary agreement will cover? Is it in draft form? Can anyone learn anything about it, beyond the vagaries of which we've been told?

**Hon. Mr. Davis:** Mr. Speaker, my understanding is that there is, in fact, no agree-

ment at this moment. There have been, and are, discussions with Reed Paper as to the economic development of northwestern Ontario, of that there is no question. These discussions as I understand it, are still going on. I cannot undertake to the Leader of the Opposition that these discussions can be made public at this moment.

Certainly if an agreement is concluded, that agreement is a public document; there's no problem with that whatsoever. But as I understand it, and the Minister of Natural Resources (Mr. Bernier) can correct me if I'm wrong, there has been no agreement.

[2:15]

**Mr. Lewis:** Is the Premier aware that the entire Treaty No. 9 organization has asked that a commission of inquiry involving three people be struck to allow the various band councils some participation in the striking of this agreement, or to share with them its likely components? Can the Premier respond to that, since the concern accelerates greatly in the northwest?

**Hon. Mr. Davis:** Mr. Speaker, I understand there is a concern and I think it's understandable. I think, though, that to say there will be an inquiry prior to an agreement being finalized really wouldn't serve any purpose at this point in time. I think that while the government recognizes the concerns of the Treaty No. 9 Indians, it is also important for the economic welfare of this province—and I am sure the member's colleague two seats to his left, and philosophically usually to his right, understands what I am saying when I—

Interjection.

**Hon. Mr. Davis:** Well, he is philosophically to his right. Listen, up in Thunder Bay one day I thought he was a right-wing Tory.

Interjections.

**Mr. Stokes:** You said that, not me.

**Hon. Mr. Davis:** Well, I said that to the member because it is true. I have never heard a greater endorsement of the private sector than he gave on that occasion. It was tremendous.

Interjections.

**Hon. Mr. Davis:** What we are interested in, because the northwest—and I think the Leader of the Opposition supports this—does need economic growth and development, and certainly we want to work in this direction in

a way that is acceptable. So I say at this moment in time, while I understand the concerns, we will not be having a public inquiry prior to these agreements being further discussed.

**Mr. Martel:** That was sacrilegious.

Interjections.

**Mr. Reid:** In view of the concern, does the Premier not feel that there should be some public input, both by the Indians who are directly involved and perhaps stand to gain or lose the most, plus the people who live in the area, before any final agreement is made between Reed Paper and the government?

**Hon. Mr. Davis:** I would have to say this to the hon. member, and I sense his concern is genuine, I think it's important to recognize that this government does in fact represent the people, that our concern is to see that there is development in that part of the Province of Ontario, and the people who are resident there are without question the beneficiaries of this development. Without that sort of thing there would be no purpose in this, and I would have to say to the hon. member that it is very difficult in negotiations of this kind to have them conducted, shall we say, in a very public forum.

Certainly any agreement that is concluded is subject to criticism—hopefully there won't be any, or if there is it will be of a constructive nature—by members of this House and others. But certainly for the ministry and the company involved to sort of have the negotiations at the Clerk's table, really I think—

**Mr. Lewis:** Why not? Why not?

**Hon. Mr. Davis:** —I think would be perhaps presuming too much. And the Clerk says he doesn't want them at his table.

**Mr. Lewis:** You are selling the whole band down the river.

**Hon. Mr. Davis:** Oh no. Oh no. Oh, listen. I know what the member would do.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** The member would nationalize the whole pulp and paper industry.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** It is already Crown land which the government is giving away; it is already in the power of the government—

**Mr. Speaker:** Order, please.

**Hon. Mr. Bernier:** Who is giving land away?

Interjections.

**Mr. S. Smith:** Well, it's nice to know that there is some interest over there.

#### CABINET DECISION ON BURLINGTON DEVELOPMENT

**Mr. S. Smith:** A question to the Minister of Revenue; I am afraid in the discussions yesterday regarding campaign donations we didn't get to the main substance. Could the Minister of Revenue explain the cabinet's decision in approving the particular lakefront development in Burlington that was the subject of discussion yesterday? And could he explain how that is in keeping with the thrust and the intent of the government's report suggesting that Burlington requires more public access to the lakefront and a 50-ft walkway along the lakeshore?

**Hon. Mr. Meen:** This had been before the legislation committee of cabinet on a number of occasions. During the course of the various deliberations of the committee, both at times when I was the chairman and on previous occasions, it had been referred back with the suggestion from the committee that negotiations continue between the developer on the one hand and the city of Burlington and the region of Halton on the other. Over the months that ensued the various points that were raised by the parties ultimately were resolved. At one stage—and it was relatively recently; the time when I was the chairman—we had recommended that the report of the lakefront study be considered with respect to the 50-ft walkway which had been recommended and at one stage, following that I believe, the city of Burlington had indicated they wanted that as one of the conditions of agreement.

Subsequently though in, as I suppose it is fair to say, the trade-offs that occur in these negotiations that went on between the city primarily and the developer, the city ultimately agreed to relinquish that request with the accession by the developer to other requests which they made with respect to road widening and all sorts of things—a total of some 16 or 17 different items which were ultimately agreed to between the parties.

So it really was on that basis that the legislation committee recommended to cabinet and cabinet adopted the recommendation that we affirm the Municipal Board order with those



refinements spelled out as an addendum to the order in council. So that is the way it went.

The refinements, I think, and cabinet takes this position, significantly improve the position of the city. Its negotiating position was far enhanced by the negotiations that went on by the referral back, I should say, by cabinet. The delays that we put into this in order to give them an opportunity to negotiate significantly strengthened their hand, and I believe that in the long run they have now wound up with the development here and conditions for development that will be to the maximum benefit of the city of Burlington and to regional Halton.

**Mr. S. Smith:** By way of supplementary, if I understood correctly it was the city of Burlington that modified its position on this. Could the minister explain how the eventual decision relates to provincial policy to retain adequate amounts of lake frontage for public access in Burlington, which at present I believe only has 11 per cent, whereas Oakville and Mississauga have 30 per cent or so and the minister's own government suggests that that should be a minimum?

**Hon. Mr. Meen:** Actually, Mr. Speaker, if that was a decision by the city, they have decided in these trade-offs they were prepared to relinquish that, so far as the public walkway was concerned, in exchange for road widenings and some of these other conditions that have in effect been built into the agreement.

#### HAMILTON MATCH PLATE CO.

**Mr. S. Smith:** A brief question for the Minister of Labour: When will the minister table the long-awaited results of the inspection at Hamilton Match Plate Co.?

**Hon. B. Stephenson:** Mr. Speaker, I'm sorry I don't have them with me today. I shall attempt to get them and table them tomorrow.

#### MILK PRODUCTION

**Mr. S. Smith:** A question for the Minister of Agriculture: How does the minister respond to the Minister of Agriculture of the federal government of Canada who has claimed that, and I quote, "The Ontario government has suckered into the dairy business without first having the assurance of market share quotas" a number of farmers, and that "the provincial government deliberately got these people in and should face up to its responsibility"?

That comes from a recent speech. What is the response to the minister?

**Hon. W. Newman:** First and foremost, I think he's a very fine man but I feel that was a very irresponsible speech he gave.

Interjections.

**Hon. W. Newman:** No—and I say this advisedly, that we have a national—

**Mr. Shore:** Who advised you?

**Hon. W. Newman:** —MSQ or industrial milk allocation across Canada that is set by the Canadian Dairy Commission for all farmers in Canada and for all provinces. We were given an allocation in 1975 under the Canadian Dairy Commission and our Milk Marketing Board achieved 97 per cent of the total allocation. As a result of our fulfilling what we were allocated in 1975, it was possible to have a smaller percentage reduction in the Province of Ontario than there was in the rest of Canada.

**Mr. S. Smith:** By way of supplementary, does the minister not accept that his government's IMPIP proposal in fact did draw new people into the dairy business, and these are the very people suffering because of the fact that their market share quota is not sufficient?

**Mr. Nixon:** No doubt about it.

**Hon. W. Newman:** Mr. Speaker, in order to explain the IMPIP programme to the leader of the Liberal Party—

**Mr. Nixon:** He understands it.

**Hon. W. Newman:** I am going to answer his question.

**Mr. Roy:** Well, just answer it.

**Mr. Speaker:** Order, please.

**Hon. W. Newman:** In 1973 there was a shortage of milk. We were asked, and Mr. Trudeau himself said it, that we be self-sufficient.

**Hon. Mr. Davis:** We always pay attention to him.

**Mr. S. Smith:** Darn right.

**Hon. Mr. Davis:** I think yesterday demonstrated that.

**Hon. W. Newman:** We moved into the programme in 1973, to encourage milk production in the Province of Ontario through our IMPIP programme, to encourage milk

production and to keep up the quota allocation in the Province of Ontario in the light of quota moved to other provinces. Our programme was discontinued as of June, 1975; and I must say that the member might check into the Farm Credit Corp., which is a federal programme which was still active in the milk business as late as last December.

**Mr. Riddell:** Since the federal Minister of Agriculture has laid part of the blame at least on the steps of the provincial government—

**Hon. Mr. Davis:** Does that come as a shock to you?

**Mr. S. Smith:** They learned the game from you.

**Mr. Riddell:** —what is the minister prepared to do to ensure that our milk producers stay in business? If the federal minister isn't prepared to make any concessions, part of the responsibility lies here; what is this minister going to do to help the farmers out?

**Hon. W. Newman:** Mr. Speaker, I have been in Ottawa many times in the last three weeks trying to get some common sense out of the dairy policy; I say it advisedly, and I will say it again—

Interjections.

**Hon. W. Newman:** I asked for a reduction in the 18 per cent cutback.

**Mr. Roy:** You are not very effective.

**Hon. W. Newman:** I asked for a reduction in the penalty clause of \$8.50 per cwt on over-supplied quota; and I also asked that the monthly allocations come off, because you can't turn cows on and off on a monthly allocation. I was promised an answer two weeks ago today; I was promised one and I still have not got that answer.

In spite of that, I met with our Ontario Milk Marketing Board, and they are going to increase, on their own, for the first three months, the total allocation in milk shipped from 29 per cent to 33 per cent of the total year's production of industrial milk, which will make a great deal of difference to a lot of producers when they get their cheques this week. There will be some producers who will still be having deductions. We are working with the Milk Marketing Board; I met with them yesterday morning myself personally for two hours and our staff were over there yesterday. We are working with them, specifically, to pinpoint the problem areas. If we could get a little more co-operation out of Ottawa we could do it a lot faster.

**Mr. MacDonald:** Since the minister has waited for two weeks for a reply, does he not think the time has come when he can take the secrecy off this agreement that was reached in Ottawa, and allegedly has been roadblocked by the Treasury Board? At least let us know, and the farmers of Ontario know, what Gene Whalen said he could do until he was roadblocked by his colleagues?

**Hon. W. Newman:** Mr. Speaker, I had a news conference two weeks ago today at which time I explained exactly what I asked Ottawa to do and what I thought they would be doing.

**Mr. Roy:** Obviously nobody is listening to you.

**Mr. MacDonald:** What were the components of the package to which the federal minister agreed in the meeting two weeks ago and which cannot be revealed because it hadn't been cleared; and now, presumably, it is never going to be heard?

**Mr. S. Smith:** Surely Ed Broadbent can get you a brown envelope.

**Mr. MacDonald:** Will the minister not let the farmers know what that agreement was?

**Hon. W. Newman:** Mr. Speaker, I know what I asked for from Ottawa; I made it very clear. I feel, in fairness to the federal minister, from whom I have asked certain concessions for the farmers in this province, I was told I would have an answer and I still anticipate that he will make an announcement on it shortly; if he doesn't it might be necessary for me to take the appropriate steps to disclose exactly what we agreed to. But I think, in fairness,—

**Mr. MacDonald:** Do it now.

**Hon. W. Newman:** —in fairness I should still give him the opportunity to come forward and be a man and tell the people what he really is going to do.

**Mr. MacDonald:** He's already had two weeks.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Gaunt:** Could the minister indicate to the House how much market share quota had been retrieved or returned to the board, and when the board intends to reallocate that market share quota to producers in the greatest need?

[2:30]



**Hon. W. Newman:** The problem is the board at this point in time has available—there will be a meeting to deal with it very shortly—only about three million pounds of MSQ with close to 5,000 applications—which isn't very much.

#### REDISTRIBUTION IN NORTHERN ONTARIO

**Mr. S. Smith:** A question for the Premier: Has the Premier been able yet to respond to a resolution which was sent to him from northwestern Ontario municipalities asking for his support for 12 northern federal constituencies to remain? I think he is aware of the proposed redistribution which will eliminate one of the northern Ontario seats. Has he responded to this particular request, and if not, could he give us his feelings about this?

**Hon. Mr. Davis:** Mr. Speaker, we are in the process. I could only point out to the member for Hamilton West—he wasn't here at the time—that this government made it very clear I believe in the resolution that it presented to the House here for redistribution that the total number of seats north of the French River would not be altered no matter what the mathematics or geography would indicate.

That was the position taken at that time and I think it was totally justifiable. But I wouldn't object to doubling the number of seats in the north, because the next time around it would mean that we would have an even greater number of seats.

Interjections.

**Hon. Mr. Davis:** Just don't sign long-term leases, you guys, that's all.

#### BENZENE LEVELS

**Mr. S. Smith:** A new question, to the Minister of Health: Could the Minister of Health tell us whether there are any figures giving results of the monitoring of benzene levels, the concentration of benzene, in the various factories in this province? Is he aware of the recent concerns regarding leukaemia deaths among workers at Goodyear Tire in Akron related apparently to benzene, and I wonder if he has any figures to give us?

**Hon. F. S. Miller:** None that I can give off the top of my head, but I would be pleased to get any information we have. We have been studying aromatic hydrocarbons in general, particularly the chlorinated types, and

we realize they are among the most dangerous of the industrial pollutants. I think one will find they are closely related to the coke oven problems we are studying now.

#### ELLIOT LAKE POLLUTION

**Mr. Wildman:** I have a question for the Minister of the Environment: What response has he made to the recent request by the northern Ontario United Steelworkers area council that the government take immediate action to eliminate radioactivity, acidity and other pollutants originating from active as well as abandoned uranium mining operations in the Elliot Lake area that are contaminating the Serpent River system, and is he willing to meet now with the steel workers to discuss the recommendations of the report made by his ministry this spring?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, I intend to meet Mr. Gilchrist, the chairman of the local, on Aug. 9.

**Mr. Martel:** Supplementary: Could the minister indicate whether the government has any intention to establish some type of fund which would be used to clean up tailing areas of mines which have gone out of operation? Surely a fund could be established to clean up, and rather than the government and the province being responsible, have the industry be responsible through a fund which could be used when a mine is closed down?

**Hon. Mr. Kerr:** Mr. Speaker, I understand there is a section under the Mining Act that would provide for this. I think it was yesterday, or possibly a day or two before we recessed, that the Minister of Culture and Recreation (Mr. Welch) indicated that there may be money available from lottery funds for health-related environmental matters. I am hoping a fund can be set up from that source.

One of the problems we have, of course, is that abandoned mines and abandoned tailings are difficult to deal with even under the provisions of the Mining Act when the company has folded and moved away. So it may be that at the present time when the company is in operation we set up some type of assessment for the future or I can look to my colleague.

**Mr. Wildman:** Supplementary: Since the levels of radium in the Sheriff Creek are five times above the accepted level, is the government prepared to backfill the abandoned mines and require new technology before there is an expansion of uranium operations in the Elliot Lake area?



**Hon. Mr. Kerr:** Yes, that is something that's going on at the present time. As the hon. member knows, the two companies want to expand up there. Officials from my ministry and MNR, as well as the Atomic Energy Control Board, are requiring that provision be made for treatment of these tailings before the expansion will be approved.

#### UNION STATION PROPERTY

**Mr. Givens:** I'd like to ask the Premier to tell us about the nature and scope of the commitment he made at the very rarely held, top-level, high-echelon, four-level, governmental conference which was held under his auspices here about two weeks ago, relative to the Union Station railway properties, and when we are likely to see some visible manifestations resulting from that conference on the site.

**Hon. Mr. Davis:** I must compliment the member from Armourdale on the way he phrases that question. It means it's going to take me a little longer to respond but I shall endeavour to do so. To do so, I have to trace a little history. It was a year ago, plus about five weeks, that it became obvious that Metro Centre as a concept had collapsed. The province had an interest, obviously from the standpoint of development and from the standpoint of growth, but I guess primarily from the standpoint of transportation.

I requested a meeting of all the principals involved. The meeting was held in the middle of June, 1975 at which time a committee was struck, chaired by one Cameron McNab, the former Deputy Minister of Transportation and Communications, to develop the transportation part of it. In conjunction with that, the mayor of the city of Toronto became chairman of a land-use committee which was to work in conjunction with the transportation committee. Both committees functioned over the period of time that was suggested. Mr. McNab's report came in and I had a preliminary glance at it I think in the latter part of May. All of the principals were there again, almost to the date that was allocated, one year.

Under Mr. McNab's proposal, Union Station per se, the great hall, would remain. The transportation complex, rather than being moved south, which would have been a very large additional expense, will be constructed on the existing site with some expansion. It will accommodate the increased GO service, it provides for intercity rail transportation. The parties involved unanimously accepted Mr. McNab's report. The details as to what

share is to be borne by those involved, the railways and the governments, is something that will be worked out prior to this fall. It did settle the site of the Bathurst St.—well, it was to have been an interchange but it is now a tunnel between Bathurst and Spadina, if memory serves me correctly. From the standpoint of transportation, it was a very constructive, positive and encouraging report that received, I think it is fair to say, the unanimous approval of all the principals at the meeting.

In conjunction with that, the government of Ontario agreed to commit, along with the two railways—and I'm going by memory I must confess—sums of money for a land-use study to relate to the transportation complex for the balance of the land and the utilization of it. Under the plan it is feasible to move the high line—and for those who don't understand these terminologies, which I don't either but I pretend to, the high line is the through line—

**Mr. Roy:** You've got the report. We haven't.

**Mr. Martel:** This is a ministerial statement.

**Hon. Mr. Davis:** —at the southern part of the railway complex.

**Mr. Lewis:** This is the old total recall at work.

**Hon. Mr. Davis:** No, this did happen fairly recently, so I remember some of it. The transportation plan does permit the high line to be moved north so that all of the land south could be utilized for some other type of development. So the mayor of the city of Toronto—we have committed ourselves, I believe, to \$300,000 and the two railways to \$150,000 each for a detailed land-use study to relate the land use there to the harbour front park to the transportation complex.

While there wasn't a great deal of attention paid to it at the time, I'm delighted the hon. member raised the question because in my view it is a very significant decision. The thing is under way; it will happen and I think is a very encouraging development for the people of this community and those who are served by the transportation centre.

**Ms. Bryden:** I have a supplementary of the Premier, Mr. Speaker. It appears that various groups were involved in the planning of this expenditure of \$300,000 by the province that he mentioned, but the only people who were not present were the members of this Legislature. I would like to ask how it happened that Mr. McNab's report, or any part of it, was not brought before the estimates committee considering the estimates of the Min-



istry of Transportation and Communications which, presumably, would then have given the members of this Legislature an opportunity to discuss the terms of reference of the studies that are being funded by this \$300,000. It has very serious implications for land use and urban sprawl.

**Mr. Singer:** Speech!

**Hon. Mr. Davis:** I can only say to the hon. member that the meeting took place somewhere between June 15 and 20—I forget the exact date. There were no funds, obviously, in the estimates of the Ministry of Transportation and Communications because this was a request received from the mayor of the city of Toronto and those groups working with the land-use committee. Now that the transportation problem has been resolved, the detailed study for land use to relate to this transportation centre, to the land, to the harbour front, was something that was of priority for the city of Toronto; and I think for Metro. So I made a decision, really, within about 10 minutes that the government of this province would assist in the funding of this project in order to get the whole thing on the road. It did not appear in the estimates because it wasn't contemplated, but I'm sure the hon. member will have an opportunity when she may or may not be here in time for the estimates again to be considered of some ministry where that \$300,000 can be discussed in great detail.

**Mr. Martel:** Try it, Bill. Call an election.

**Hon. Mr. Davis:** If the hon. member does not think we should have given them money, let her say so.

**Mrs. Campbell:** Is the Premier then saying that, whereas the city of Toronto had these concerns that the transportation report would take precedence over the land-use planning report, it has in fact happened and the city is pleased with that result?

**Hon. Mr. Davis:** I never presume to speak for anybody else. That's wrong; I do on occasion, and she objects. But I will not speak for the mayor of the city of Toronto, except that he was at that meeting.

**Mr. Roy:** The Supreme Court of Canada will speak for the government.

**Hon. Mr. Davis:** My recollection is that he said to the press afterwards that he was delighted with the results of the meeting. And I see the head of the member for Armourdale going up and down—so he agrees with me.

**Mrs. Campbell:** I have great doubts if that is the case.

**Hon. Mr. Davis:** If the member for St. George doesn't think the mayor of the city of Toronto knows what he is doing, or if she doesn't think the member for Armourdale understands the situation, then let her say so. I'm trying to tell her all I can.

**Mrs. Campbell:** I didn't suggest that.

**Hon. Mr. Davis:** Say so.

**Mr. Peterson:** The member for Armourdale has got a bad neck. Don't take that for approval.

**Hon. Mr. Davis:** My impression was that they were quite pleased. The transportation issue was resolved. They had the funding to do the land-use study. There is nothing to inhibit the technical work, the design work from going ahead with respect to transportation and it in no way prejudices the ultimate land-use decisions.

#### METRO TORONTO HOSPITAL BED STUDY

**Mr. Grossman:** I have a question of the Minister of Health.

**Mr. Sweeney:** Watch out, Bette.

**Mr. Grossman:** We're friends again.

Interjections.

**Mr. Speaker:** Order, please; we're wasting time.

**Mr. Conway:** Has the member for St. Andrew-St. Patrick resigned yet?

**Mr. Grossman:** No, I don't have to.

**Mr. Singer:** Are you Wiseman's parliamentary assistant?

**Mr. Grossman:** While I'm delighted about the Metropolitan Toronto hospital bed study, I would like to ask the minister how he sees the role of the individual hospitals in Metro. Will they be making representations to the committee? Will they be working with them? Will there be consultants to meet with the hospitals? What will the association be? How will the hospitals let the study know what their opinions are?

**Mr. Ferris:** Regression analysis.

**Hon. F. S. Miller:** Mr. Speaker, the statement I made today was a bit vague, I admit.

**Mr. Ruston:** Now the minister is admitting it.

**Hon. F. S. Miller:** It was purposely vague because I wanted to get before this Legislature, while it was sitting, the fact that I was intending to have this study, even though some of the details still had to be worked out. I did not want people saying to me about a week hence, "Why didn't you tell us while we were here?"

Interjections.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** Therefore, I took the precaution of making a comment, or a statement, today. It is the intention of the study to go this way, as I understand it.

[2:45]

First, there will be a technical stage when we will use consultants. The consultants will collect data on the current situation in Toronto—bed uses, referral patterns, and so forth. They should have this information ready, we hope, by Oct. 1, at which time the council of health would, I understand, appoint a task force of six to eight people chosen carefully. First of all, the council would make the data available to the Toronto hospitals and they in turn would be allowed to appear before the task force to give their opinions to it and let them make the more subjective decisions that would result from it.

**Mr. Lewis:** Is the minister going to allow the Doctors Hospital to be viewed as a participant in this process in terms of the evaluation of the bed utilization and numbers? Will he therefore permit this committee to make a recommendation involving the Doctors Hospital, which would be nice since it would be based on evidence rather than on the bureaucracy? In fact, can the Doctors Hospital state be tied in to some extent to this report?

Interjections.

**Hon. F. S. Miller:** Naturally it can be. There would be no use having this study if we didn't consider the Doctors Hospital in the whole pattern.

Interjections.

**Mr. Roy:** Supplementary: Why would the minister limit the study to Metropolitan Toronto and not the province generally?

**An hon. member:** Because he's perverse.

**Mr. Roy:** Is this the type of planning the Ministry of Health does? It closes hospitals; then it makes a bed study. Is that the way the ministry operates?

**Hon. F. S. Miller:** In the area represented by the hon. member, I have a very active health council. If I were asking for information from that area, that would be the logical source. In the city of Toronto, I do not have a health council.

Interjections.

**Mr. S. Smith:** Nor have Durham, Chesley, Clinton and Paris.

**Hon. F. S. Miller:** There is not likely to be one for some time. Because of that, because of the fact that over 30 to 35 per cent of my total health budget at a rough guess goes into the city of Toronto and because I think it is perhaps the most fertile area for amalgamations of facilities, then I think it is logical that this study should be done here.

#### NIAGARA ESCARPMENT HOUSING DEVELOPMENT

**Mr. Mackenzie:** Could the Premier tell us what earthly reason there could be for the recent cabinet decision overruling the appeal by the Wentworth Conservation Authority, supported by the Niagara Escarpment Commission, against the development by a group of developers of the plateau development off DeWitt Rd. in Stoney Creek?

**Hon. Mr. Davis:** I am sure there are some very good earthly reasons why the cabinet would do that. If the hon. member would ask the Minister of Revenue, perhaps he can tell him or perhaps he will get the information and present it to him.

**Mr. Speaker:** Do you wish to redirect the question?

**Mr. Mackenzie:** Why would this land be allowed for development for the very well-to-do alone at about \$35,000 per lot and why would the ministry not have allowed for a transfer of Ontario Housing land in Saltfleet city rather than using this prime Escarpment property which we are supposed to be protecting?

**Hon. Mr. Davis:** As I say, if the hon. member would direct that question to the Minister of Revenue, who is chairman of the committee that deals with appeals to cabinet, I am sure he would be delighted either to answer it or get the information for him.

**Mr. Mackenzie:** I would like then to redirect, if I may, Mr. Speaker.

**Mr. Speaker:** Did the hon. minister hear the questions?



**Hon. Mr. Meen:** Yes, certainly, Mr. Speaker. The Municipal Board itself indicated that the plateau land was ideal for development purposes for use in housing. Obviously we need housing. The fact that it is quality land for housing—

Interjections.

**Hon. Mr. Meen:** —should not detract from that purpose whatever. The cabinet agreed with the board. What the board had done in addition was to zone the slope lands for use as estate properties rather than for recreational purposes. In any variation which cabinet placed upon the board order, those slope lands, including the plateau lands at the very top which are owned by the TH and B, cannot be used for any kind of development and become usable only for conservation authority purposes.

It was the opinion of cabinet that this was an improvement over the board order and met the requirements of the conservation authority which did not have the money to purchase the plateau lands for conservation purposes. From the information which was available to us through the Ministry of Natural Resources, we think it appears that the conservation authority is better off on this basis than it would have been on the basis of the board order as issued.

**Mr. Speaker:** The question period has expired.

Petitions.

Reports.

Motions.

**Hon. Mr. Welch** moved that tomorrow, Thursday, the House will meet at 10 a.m. with a luncheon interval from 1 to 2 p.m., with routine proceedings at 2 p.m.

Motion agreed to.

#### WATER QUALITY OF MILL STREAMS

**Mr. Angus:** Mr. Speaker, on a point of personal privilege: On two different occasions in this House—on March 17, 1976, and Nov. 6, 1975—the Minister of the Environment promised myself and this House information relating to the pollution downstream from every pulp and paper mill in this province. Yet in a letter dated July 12, 1976, he states, and I quote: “Unfortunately we do not have for each mill in Ontario water quality data which was provided for the Thunder Bay mills.”

I would ask you, Mr. Speaker, to request the Minister of the Environment to clarify his remarks on those two previous occasions and the remarks in this letter.

**Mr. Speaker:** In the first place, it's not really a point of privilege because the member's privileges have not been abrogated in any respect. Perhaps the hon. minister might have a brief answer to the question posed, I'm not sure; probably not.

**Hon. Mr. Kerr:** Very briefly, Mr. Speaker, I was under the impression that the hon. member wanted the same type of analysis that was available for the Thunder Bay mills. In other words, the type of analysis carried out while the plants were shut down and then subsequent monitoring and testing of the water after the plants were back in operation. Apparently we don't have the information from when the plants were shut down. There's no problem in getting the hon. member—

**Mr. Singer:** Are you extending the question period?

**Hon. Mr. Kerr:** There's no problem in getting the hon. member data available since the plants have been in operation, if that's satisfactory.

**Mr. Speaker:** I might just point out to the hon. member that the matter he raised could quite properly have been raised during the question period.

Introduction of bills.

Orders of the day.

#### ANTI-INFLATION AGREEMENT ACT

**Hon. Mr. McMurtry** moved second reading of Bill 127, An Act to ratify the entering into an Agreement under the Anti-Inflation Act (Canada).

**Mr. Speaker:** Does the hon. minister have an opening statement?

**Hon. Mr. McMurtry:** No, Mr. Speaker. I made a brief opening statement when I introduced the legislation yesterday.

**Mr. Moffatt:** That was an apology.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** I am naturally awaiting with great interest the forthcoming helpful comments from opposite and I would like to reserve the right to reply at the appropriate time.

**Mr. Speaker:** The member for Riverdale.

**Mr. Lewis:** We regard him as a colleague; the minister can regard him as a mentor.

**Mr. Renwick:** I'm glad it's the anniversary of Bastille Day. I don't anticipate that we'll have the same success as accompanied the assault on the Bastille on that particular day but we're certainly going to try.

Mr. Speaker, it will be no news to the government nor to anyone else that we rise on second reading to oppose Bill 127 as we did yesterday on first reading of the bill.

**Mr. Roy:** And as you did in December.

**An hon. member:** Yes, we did in December.

**Mr. Mackenzie:** Don't be so phoney, Albert.

**Mr. Bain:** Are you phoney, Albert?

**Mr. Singer:** Getting more letters addressed to "Dear Roy"?

**Mr. Deputy Speaker:** Order, please.

**Mr. Renwick:** When we moved yesterday to cause a division of the House to indicate our—

**Mr. Roy:** Posturing.

**Mr. Mackenzie:** You're still phoney, Albert.

**Mr. Renwick:** —our opposition to Bill 127, we did so because we invoked what we have invoked only on one other occasion—the opportunity, by opposing the introduction of the bill on first reading, to underline, in unmistakable terms, the opposition which we as a party feel toward this bill and to the anti-inflation programme reflected in the federal government Bill C-73, to which this bill is a part.

**Mr. Nixon:** You and Joe Morris.

**Mr. Renwick:** We object to that bill, we object to Bill C-73; and we object to this bill, and we will oppose it on second reading.

**Mr. Nixon:** The member for CLC.

**Mr. Renwick:** We will divide the House on second reading.

**Mr. Nixon:** And third reading.

**Mr. Renwick:** And we intend to oppose the bill on third reading, and to divide the House on third reading.

Interjections.

**Mr. Deputy Speaker:** Order, please. Every member will have an opportunity to engage

in this debate. Just now the member for Riverdale has the floor.

**Mr. Singer:** As I said in my latest letter, "Dear Roy."

**Hon. Mr. Davis:** But your letter was wrong too.

**Mr. Renwick:** Mr. Speaker, when we are faced with a government which is incompetent, that is a problem; when we are faced with a government which couples incompetency with illegality our duty as an opposition is compounded. I may say further that when the third party indicates that it will support the government—

**Mr. Breithaupt:** That's right.

**Mr. Renwick:** —regardless of its disagreement with the government, then our duty, as official opposition, to oppose, is doubly compounded.

**Mr. Nixon:** That was your duty last December; last December you supported the government on the same issue.

**Mr. Bain:** We felt the same toward the AIB last December as we do now.

**Mr. Conway:** What are you going to do about the general strike?

**Mr. Renwick:** You know, my friends on the left, the third party, recall to mind a saying of the late Will Rogers, which I perhaps would paraphrase. Will Rogers said on one occasion: "I belong to no organized political party; I am a liberal."

**Mr. Singer:** I am glad you thought of that.

**Mr. Nixon:** Mr. Speaker, I am sure the hon. member would want that corrected, because Will Rogers said, "I am a Democrat," and they went out to win the election.

**Mr. Martel:** That won't happen in Ontario.

**Hon. Mr. Davis:** I think you are both wrong, but I can't prove it.

**Mr. Roy:** What was Jim before? He wasn't a Tory, was he?

**Mr. Renwick:** Well, I may say that I am going to repeat a throwaway line I used on a less important occasion to my friends on the left, that one of these days they are—

**Mr. Nixon:** Was that when you were identified with the government on this issue?

**Mr. Renwick:** —one of these days my friends on the left are going to realize it's



going to be more important what they stand for than who they stand with.

**Mr. Peterson:** Is Elie writing your material now?

**Mr. Roy:** Tell that to the labour movement, eh?

**Mr. Breithaupt:** That certainly is a throw-away line.

**Mr. Peterson:** For one of your good lines, tell them about Masters and Johnson.

**Mr. Deputy Speaker:** Order, please. The hon. member for Riverdale may continue.

**Mr. Renwick:** Mr. Speaker, I appreciate your concern but I really don't need your protection.

**Mr. Conway:** What about the general strike?

**Mr. Renwick:** Mr. Speaker, we are being asked to validate the invalid. We are being asked to make constitutional what is unconstitutional.

Interjection.

**Mr. Renwick:** We are being asked to take out of the pockets of citizens of the province in the public sector, the moneys which the Supreme Court of Canada on Monday morning put back in their pockets. That's what is happening.

**Mr. Lewis:** That's right, that's exactly right.

**Hon. Mr. Davis:** That's not very fair. I don't think the courts said money should be put back in the pockets; I didn't read that.

**Mr. Lewis:** That's exactly what they said.

**Mr. Nixon:** You are doing very well, Jim, go ahead.

**Mr. Renwick:** That's the effect.

**Hon. Mr. Davis:** You did all right, you got your money.

**Mr. Roy:** You are the only one who got any money out of it.

**Mr. Singer:** Your throwaway speech is great up to now.

[3:00]

**Mr. Renwick:** Well as a matter of fact I still have the dollar. I was going to ask the Attorney General to sign it for me, but I didn't want to depreciate it in value.

Mr. Speaker, Bill 127 asks us to ratify the agreement between the government of Ontario and the government of Canada, which the Supreme Court struck down on Monday morning. The ratification of an agreement poses immense problems, because the element of time has made it difficult to put ourselves back in the position where we should have been last January when—if the government had introduced the legislation at the appropriate time instead of with undue haste signing that agreement on Jan. 13, prior to the Legislature coming into session to deal with the Metropolitan Toronto strike—we could have dealt with the reality of the agreement.

The agreement would then have been in draft form. We could have had an intelligent, meaningful debate with respect to what the government of Ontario was doing. Amendments could have been proposed to the kind of agreement that would be authorized under the legislation. Consideration could have been given to its implications. An opportunity could have been given for all of us to have some say about the nature of the federal legislation and the nature of the government's response.

But now we're in a straitjacket with the bill that comes before us. As I said in caucus yesterday, it is kind of a double Catch 22, because we're being asked to ratify an agreement which two parties have signed and agreed to. So we can't amend the agreement, and there is no way of amending the agreement. The agreement is not attached as a schedule to the bill. Even if it were attached, no change could be made in that particular agreement because that agreement is now signed by the government of Canada. So to that extent we're in the first part of the Catch-22 straitjacket and we don't intend to discuss in detail—at least I don't intend to discuss in detail—the implications of this agreement from that point of view.

The other factor, of course, which is more paramount is that even had we been able to discuss that agreement, we would have had to object to the adherence by the government of the Province of Ontario to the federal anti-inflation programme.

**Mr. Roy:** Is that what you said in December?

**Mr. Renwick:** Yes.

**Mr. Roy:** Why did you vote for it then? Have you no principles?

Mr. Martel: You were too busy in the leadership campaign those days to know what was going on.

Mr. Roy: Lookit, I can look at—

Mr. Nixon: The member for Sudbury East stood up with the government.

Interjections.

Mr. Deputy Speaker: Order, please.

Mr. Nixon: You wished everyone a Merry Christmas.

An hon. member: Who's the leader of the Liberal Party?

Mr. Deputy Speaker: Order, please. We can recess the House if that becomes necessary.

Mr. Shore: What did he say? Recess it? For how long?

Mr. Renwick: Mr. Speaker, I'm going to allow myself the luxury of a minor parenthesis to answer the member for Ottawa East.

Mr. Roy: You must address the Chair. You should know that.

Mr. Renwick: We opposed the subamendment proposed by the Liberal Party to the Throne debate last December because we did not want to give any credence to the policy of the federal Liberal government by appearing to support a proposal that there should be established in the Province of Ontario a parallel provincial body to administer a law which fundamentally and basically was wrong and bad, and remains wrong and bad.

Mr. Shore: Better caucus that one.

Mr. Nixon: Those weren't the reasons you gave. Hindsight, that's all.

Mr. Breithaupt: That is not what you said then.

Mr. Roy: You should be at the Olympics.

Mr. Renwick: My fundamental point—and there are a number of other points that I want to deal with in the course of my remarks—

Mr. Roy: That was the reason for the caucus yesterday, wasn't it?

Mr. Renwick: But my fundamental point is that the conservative government in the Province of Ontario has adopted, believes in

and has embraced fully and completely the anti-inflation programme of the federal government. The policy of this government is identical with the policy of the federal Liberal government. We oppose both. We just don't believe in that kind of legislation.

Mr. Conway: What happened in December?

Mr. Renwick: When I had occasion to give a little bit of thought about the position of this party on this particular debate it did not take me very much time to recall some remarks which I had made in this assembly on St. Patrick's Day in 1972.

Mr. Shore: You only have two hours.

Mr. Renwick: Mr. Speaker, with your consent I want to make a couple of quotations very briefly from those remarks which I made at that time.

Mr. Breithaupt: That is an unimpeachable source.

Mr. Renwick: March 17, 1972, in this Legislature, standing as I do, proudly representing the riding—the great riding—of Riverdale, I made the following comments:

The specific problem at this particular time ... is the continued persistence of high unemployment coupled with the continued persistence of inflation at an unacceptable rate. That combination of factors creates an impasse in the development of sound policies in the Province of Ontario which we in this Legislature have got to begin to try to understand.

Mr. Shore: Were you the first one to say that?

Mr. Renwick: A little bit later on I commented that perhaps those who had been listening at that time would realize that I was talking about a price review system which was essential in the Province of Ontario, and then I went on:

I'm quite certain, Mr. Speaker, that the members will have noticed that I have not referred to wages, because I now want to deal with the problem with which this party is faced in this debate. Because the pat answer of the Conservative government and the pat answer of the federal government is that the reason for price increases at the industrial wholesale level in that runaway manner is because of wage demands, and that the granting of wage increases produces that spiralling of the prices, and that it is the wage component of the price increases which leads to the built-in bias of our economy, leading to an inflationary and high unemployment economy.

A few minutes later I said:

I am simply saying, with whatever degree of emphasis one wants to put on it, that the federal government at Ottawa and the government of this province, if they ever recognize that prices were responsible and that something has to be done about it, would couple wages with it, inequitably



and inadequately. We would have a wage and prices board. That's the traditional method by which the response is made.

I want very clearly to put across to the members of the government that this party dissociates itself for valid reasons from any suggestion that that is the key problem of the economy. You do not shift the responsibility to those who work for wages in the economy. You accept the responsibility that you're dealing in a managed price economy.

Mr. Speaker, our position then was as I have stated it. Our position today is identical with it. We oppose the nature of the federal Liberal government's programme of inflation, and that is not in any way to indicate that we are not aware of and concerned about the whole question of inflation so far as it impacts upon the spendable and favourable component of the income of people who work in the Province of Ontario.

Perhaps some of you will recall, if by any chance I can find it, that when Marcus Aurelius was the emperor of the Roman Empire—

Mr. Shore: Were you around then? I always said you were 'way ahead of your time.

Hon. Mr. Davis: He's older than some of the rest of us.

Mr. Renwick: —and wrote in his memoirs, and while I haven't had an opportunity to read the memoirs in the original, I do have the privilege of the comments of Mr. Gibbon in his book "Decline and Fall of the Roman Empire" in relation to what Marcus Aurelius said at that time. Marcus Aurelius was faced with a revolt of the workmen in the Roman mint and it related to the depreciation of the currency, and Mr. Justice Beetz indicated that the question of inflation is many centuries old.

Mr. S. Smith: I think that was the precedent that the Attorney General gave them at the Supreme Court.

Mr. Renwick: Shortly before the decision came down, I happened to be reading "Decline and Fall of the Roman Empire" because of the—

Hon. Mr. Davis: I thought you said you were there.

Mr. Renwick: —immense number of parallels with which we are faced in the Province of Ontario at the present time.

Mr. S. Smith: Was it 1639 BC or AD?

Mr. Renwick: Gibbon said, in referring to this revolt of the workmen at the mint:

In an age when the principles of commerce were so imperfectly understood [and

of course that's true of this government even now] the most desirable end might perhaps be effected by harsh and injudicious means. The repetitions of intolerable taxes either on land or on the necessities of life may at last provoke those who will not or who cannot relinquish their country, but the case is far otherwise in every operation which by whatsoever expedient restores the just value of money. The transient evil is soon obliterated by the permanent benefit. The loss is divided among the multitudes. If a few wealthy individuals experience a sensible diminution of treasures with their riches, they at the same time lose the degree of weight and importance which they derive from the possession of them.

Hon. Mr. Davis: He wrote that?

Mr. S. Smith: He would have been better in Latin.

Mr. Renwick: May I simply say that the desirable end of the federal government, with which we would not disagree nor would anyone, is that inflation and high unemployment are the major defects in the functioning of our economy and have got to be corrected. But they are not to be corrected by harsh and injudicious means or in the polite language of today by some kind of rough justice which impinges as always more heavily on those in the lower echelons of society than on those in the upper echelons of society.

Let me turn now very briefly to the court decision. I want to deal with the second question first because it deserves a comment but only a comment.

Mr. S. Smith: The steelworkers are in the lowest echelons, are they?

Mr. Renwick: The second question was that if the Anti-Inflation Act is *intra vires* the Parliament of Canada, is the agreement entitled between the government of Canada and the government of the Province of Ontario entered into on Jan. 13, 1976, effective under the Anti-Inflation Act to render that Act binding on and the anti-inflation guidelines made thereunder applicable to the provincial public sector in Ontario as defined in the agreement? The answer of all members of the court is no. The agreement is not effective to render the Anti-Inflation Act binding and the guidelines made thereunder applicable to the provincial public sector in Ontario as defined in the agreement.

I want to make very clear in any comments that I have to make about the de-

cision of the court that I am speaking to the government in its responsible capacity. I want everyone to know that I happen to have, both personally and professionally, the highest conceivable regard for the deputy Attorney General of the province, Mr. Frank Callaghan; for the former Deputy Attorney General of the province and now the Deputy Treasurer of the province, Mr. Rendall Dick; and for Mr. David Mundell who argued the case.

The government's responsibility about this is the important factor. I know, in these days when everything is translated into sporting terms, one can talk about 9-0 or 12-0 or 3-0 and 9-0, depending on how many games one is playing. I am not worried about baiting the Attorney General. He is of course a very modest and humble man.

**Mr. Breithaupt:** He has a lot to be modest about.

**Mr. Renwick:** I know very well that he will have some difficulty in responding publicly to this disastrous attack upon his ability and indeed his credibility. But I am going to leave it at that because I don't want for one moment to think that it is anything other than a matter of some personal satisfaction to me that, when the Treasurer (Mr. McKeough) was speaking in this House on Oct. 30 last year, I was engaged in writing to the Attorney General indicating to him I was extremely concerned about and would be very upset if the agreement announced by the Treasurer as being the way in which the government was going to enter into the arrangements with the government of Canada was passed without enabling legislation. And on Oct 30 last year I said in part to the Attorney General:

[3:15]

I submit to you that for the national programme to apply directly to the public sector in Ontario it is essential there be legislation of the legislative assembly of Ontario, properly enacted within its legislative authority, to grant authority to the Anti-Inflation Board to administer those matters coming under that legislation. It is my submission that in the absence of such legislation such a delegation would be unconstitutional.

My remarks apply equally well to the jurisdiction of the province in the field of education, under section 93. It is, therefore, my further submission that any attempt to make the collective agreements between boards of education and teachers, or between municipal corporations and employ-

ees, or between the provincial government and its employees, subject to the Anti-Inflation Board without proper enabling legislation of the Legislature of Ontario is inviting a recourse to the courts on the constitutional question, which in my view could only be determined adversely to the intention of the government of Ontario as set out in the Speech from the Throne.

Interjections.

**Mr. Renwick:** And I'm glad the Treasurer's here—I went on; I said:

In short, it is constitutional nonsense for my colleague, the Treasurer, to have stated at the meeting of ministers of finance on Oct. 22 last, "In the interest of making this programme work immediately the Ontario government will not raise constitutional issues." I feel it is incumbent on you as the Attorney General of Ontario to ensure that the government of Ontario adheres to the constitution of Canada.

**Mr. Martel:** Get up and yell, Darcy.

**Hon. Mr. McMurtry:** You also went on to say that the federal legislation was unconstitutional and you lost that 7-2.

**Mr. Deputy Speaker:** Order, please. Only one person has the floor at the time.

**Mr. Renwick:** I'm not going to enter into an argument. The Attorney General has the correspondence; everybody who has been at all interested in the matter has the correspondence.

**Mr. S. Smith:** The only ones who were correct on this are seated right over here.

Interjections.

**Mr. Renwick:** The essential fact was, without making any value judgement on the validity of the federal government's programme, I said that you can't enter into the agreement without enabling legislation of this assembly. You went ahead at your own peril and made that mistake, and produced and compounded the problem with which we are faced here in this particular assembly at this time.

Interjections.

**Mr. Renwick:** My fundamental concern and questions to the government and my reason for speaking to the government in this debate today has nothing to do with whether the decisions were 9-0, 7-2 or anything like that. My concern is the position which the government of Ontario took on this anti-inflation legislation.



If you want to understand that, while it is interesting, of course, to read the judgement of the Chief Justice of Canada and those who supported him, and it's interesting to read the judgement of Mr. Justice Ritchie and those justices who supported him, the fundamental decision is the decision of Mr. Justice Beetz. He's the one who deals with the Ontario position, and that amounted to an abdication of the responsibility of a government in the Province of Ontario to protect the constitution of the province within the federal system. This government, under this Attorney General, failed to do that.

**Mr. Singer:** How can you be fundamental when you are two out of nine?

**Mr. Renwick:** I want to make it very clear Mr. Justice Beetz said that he was going to deal with the submission of the government of Ontario on the question of the doctrine of national concern or national dimension. He specifically stated that his colleague, the Chief Justice, whose judgement he had read, did not deal with that submission; that the Chief Justice in his majority decision, accompanied by that of Mr. Justice Ritchie, dealt on the question of the emergency or crisis involved, and did not deal with the submission of the government of the Province of Ontario.

This is no semantic difference as the members of the government team tried to indicate to the court. It was not a matter of semantic difference. It was a matter as to whether or not at a particular point of time matters of something called national dimension and concern would move permanently to the federal government and exclude the provincial legislative and therefore executive power in immense areas of the constitution.

The emergency doctrine is an entirely different one in that there may be a temporary emergency which impinges upon and is paramount to the exercise of what are traditionally the fields allocated under the constitution to the provincial government. But the government of Ontario, in its submission, did not argue the question of emergency or crisis.

**Hon. Mr. McMurtry:** That's not true.

**Mr. Renwick:** It argued the question of national concern and national dimension—as I happen to have, of course, the factum of the government of Ontario submitted to the court for the purposes of its argument.

I want that point clearly noted in this assembly. And it is noted for those who are interested in this kind of a topic from the

point of view of the politics of Ontario and from the point of view of the constitution of Canada and the position of Ontario within that federal system—in which I happen to believe—and which this government inadvertently in its incompetence, was headed towards its destruction in its submission to that court. The Attorney General submits that:

It is established that where the subject matter of legislation goes beyond local or provincial concern or interest, and from its inherent nature is the concern of Canada as a whole, then it falls within the competence of Parliament, as a matter affecting the peace, order and good government of Canada.

Further on, the submission of the Attorney General says:

The Attorney General submits that legislation to control and restrain matters that may cause and contribute to conditions of national inflation throughout Canada is legislation in relation to its subject matter that, from its inherent nature, is a matter of national concern and interest.

I'm not going to take the time to read the judgement of Mr. Justice Beetz. Those who are interested will do so.

What he said, and he said very clearly, is that if that line of reasoning were accepted by the court—and he's the only judge, to my knowledge; although I haven't read the judgement of Mr. Justice de Grandpré—

**Mr. Singer:** De Grandpré agreed with Beetz. He has no separate judgement.

**Mr. Renwick:** He said: "If the argument of the Attorney General of Ontario were accepted, there would, in due course, be no federal system."

**Mr. Singer:** Oh, I don't agree with you.

**Mr. Renwick:** That's what he said. I am simply saying that a government who shows now a fundamental incompetence in a field related to the federal constitution of the country and the constitution of this province has long since lost its capacity to govern and, in due course, will be defeated at the polls. There is no question but that will be the case. Let me emphasize what I said. Mr. Justice Beetz is the only one of the justices who dealt with this submission of the government of the Province of Ontario. I know this is terribly boring for the Attorney General.

**Mr. Singer:** You always quote the losers, do you? The losers are the authority. Why

don't you quote the two majority judgements? They add up to seven out of nine.

**Mr. Martel:** Maybe he can get up and have the Treasurer yell at us for a while to liven it up. If he doesn't, the member for Scarborough Centre (Mr. Drea) might help.

Interjections.

**Mr. Martel:** That isn't what the Attorney General did for Ontario.

**Mr. Renwick:** Mr. Justice Beetz, in the course of his remarks, said this about the federal legislation—the Attorney General read the judgement, so I don't need to read what went before and what went after: "Property and civil rights in the provinces are for the greater part the pith and substance of the subject matter of the anti-inflation Act."

What it is saying is that the major part of the application of the federal anti-inflation programme dealt with matters within the jurisdiction of this Legislature. The major areas of concern are matters which are traditionally within the constitutional authority of this assembly.

According to the constitution, Parliament may fight inflation with the powers put at its disposal by the specific heads enumerated in section 91, or by such powers as are outside of section 92. But it cannot, apart from a declaration of national emergency—which the government of Ontario did not argue before that court—or from a constitutional amendment which, of course, is a different matter, fight inflation with powers exclusively reserved to the provinces, such as the power to make laws in relation to property and civil rights. This is what Parliament has, in fact, attempted to do in enacting the anti-inflation legislation.

On page 26, in what I hope will be the coup de grâce of this particular argument of national concern or national dimension, which is so appealing to this government in the default which it has of its sense of what the constitution is about, Mr. Justice Beetz said,

The containment and reduction of inflation does not pass muster as a new subject matter. It is an aggregate of several subjects, some of which form a substantial part of provincial jurisdiction. It is totally lacking in specificity; it is so pervasive that it knows no bounds. Its recognition as a federal head of power would render most provincial powers nugatory.

Well in any event, Mr. Speaker, I found it quite fascinating that it was the whole sub-

mission of the government of the Province of Ontario, on which the judgement of Mr. Justice Beetz alone placed the emphasis, in the judgements which he rendered. I find that quite significant, because it means that we have said, or I have said, in this House on a number of occasions, that you can't fool around with the constitution in a federal system, you have to know it and you have to understand it.

I may have some differences of opinion on questions of whether there is or is not a national emergency or national crisis, and the national emergency power now exists, it has been ceded by the court in many ways. It happens that the dissenting judges didn't accept that there was a national crisis, but that didn't detract at all from the emphasis which was placed by Mr. Justice Beetz when he attacked the Ontario submission and said if you follow that course under the constitution you destroy the federal nature of the constitution of Canada.

In any event, those who were interested will, I hope, at some point in time, read that particular judgement; not because it's a matter for legal scholars or not because it's a judgement of the Supreme Court of Canada in what may in the future turn out to be a very important case, but it is illustrative of the prime concern which we as a party have had that there is no understanding by this government of the nature of the constitution of the country. They were prepared to hand over to the federal government, on a permanent basis, matters which in substance must of necessity remain within the jurisdiction of this province. They were not prepared—

**Hon. Mr. McMurtry:** Nonsense.

**Mr. Renwick:** —to recognize that it was but of temporary concern. Of course if the Attorney General of Ontario wants to say that is nonsense, then he again should read the particular concern which was expressed by the court on the question of what the position of the Province of Ontario was.

**Mr. S. Smith:** Lost 7-to-2.

**Mr. Singer:** The member should also read what Laskin said.

**Mr. Renwick:** Mr. Speaker, let me, very briefly, state our position. We are opposed to the federal anti-inflation programme because it is inequitable, it is unjust and it is very oppressive to those who are not in a position to deal effectively with it. We are opposed to the anti-inflation programme of the government of Canada because it leaves



out vast and immense areas within the economic life of the country which impinge directly on persons who work, whether they work in the private sector of the Province of Ontario, in the public sector of the Province of Ontario, in the federal public sector or in the federal private sector.

**Mr. Conway:** What's your answer?

**Mr. Renwick:** All of those areas are left out of any comprehensive scheme to deal with the initial problems and the basic problems, which have been recognized for so long—

**Mr. S. Smith:** Socialism is the answer, I suppose.

**Mr. Renwick:** —of inflation and unemployment. Those problems will not heal unless there is the kind of sensitive, comprehensive programme which has led this party to reject, and object to, the anti-inflation programme of the federal government, which coincides with the policies of this government in combating those two particular concerns.

[3:30]

I happen also, in a day when perhaps legalities take over in the Legislature, I happen to have looked at a bible of ours—anyway a bible of mine, Halsbury's Laws of England—and I would suggest that in this minority situation with the kind of incompetence which has been demonstrated by the government in its submissions on this bill and with the kind of concern which we have in this party about the nature of the federal constitution of the country and the place of Ontario within it, let alone the other areas of incompetence which have been spelled out from time to time in this assembly, I want to say I think it's about time that in due and proper course consistent with the dignity of this province the government seek a renewed mandate or let us govern. We have got to.

**Mr. S. Smith:** Socialism is the answer, I suppose.

**Mr. Breithaupt:** Could we have a third choice, please?

**Mr. Renwick:** As I said, in kind of a nice detached way, Halsbury said: "It is generally conceded that the ministers of the Crown are under the established usage entitled to a fair trial." We've given them a fair trial.

**Mr. Breithaupt:** Before they are hung.

**Mr. Renwick:** At least until it becomes clear that they are unable to obtain that support in the legislative assembly of Ontario

which is necessary to enable them to carry on the executive government. I may say that we are now in that never-never land. We have a kind of negative support from the party on the left. We opposed the government on the confidence question on June 22.

**Mr. S. Smith:** Not in December.

**Mr. Conway:** You missed one date.

**Mr. Renwick:** Our attitude is unchanged on July 14. We think we are now at the point where it is customary for the Legislature to extend such support by granting supplies or otherwise as may be necessary to enable the executive government of the province to be carried on in a manner becoming to the dignity of the province, and we have done that until Oct. 31, until the sense of the electorate can conveniently be taken upon a dissolution.

We say to the government that the time has come when in an orderly way and in a proper way the government should seek a dissolution of this Parliament and deal with the question before the people of the Province of Ontario as to the incompetence of the government and on the question of its credibility. In no way has its incompetence and the depth and extent of that incompetence been more shown than in the way in which the government has managed its adherence to the federal anti-inflation programme.

For those reasons and many others to be stated by my colleagues, we oppose and will continue to oppose this legislation.

**Mr. S. Smith:** I am very pleased to speak in this debate. The Anti-Inflation Board, a piece of federal legislation brought in by the federal government, is one that we feel has been reluctantly embraced by the people of Canada and by the people of this province and certainly is accepted by our party as a necessary means of trying to grapple with the problems of inflation. The problems fall most heavily, not so much on those who are in large businesses and not so much on those who are represented by active and strong unions, but on those who are not unionized or whose unions are very weak and have little clout, on those who might be unemployed, on those who are ill or who are on disability benefits of one type or another, pensioners and old people.

**Mr. Peterson:** You mean the NDP.

**Mr. S. Smith:** As long as a situation exists whereby a strong union can bargain for higher wages to keep up with the cost of

living and the company is in a powerful enough position to increase its price to pay for that and to pay for other things, as long as we are in that type of situation, then there will be only one group in society that's able to keep up with the cost of living while the pensioners, the ones on fixed incomes, the ones who are on various government benefits, the ones who are on fixed rates of return from annuities and so on, are the ones who, in fact, go under. As a necessary social document, we see the Anti-Inflation Board as at least one constructive attempt to deal with the hazards and the perils of inflation which are racking the country.

**Mr. Cassidy:** That's not what you said in December.

**Mr. S. Smith:** The fact of the matter is that no means of coping with inflation is going to be universally accepted. We have some serious questions about the Anti-Inflation Board and some of its operations, but basically we feel it has been, and we think the people of this country believe it has been, a progressive and honest effort—

Interjections.

**Mr. S. Smith:** —to deal with a terrible problem which is, in fact, hurting the—

**Mr. Lewis:** Come on. Come on.

**An hon. member:** You know it is unfair.

**An hon. member:** Your friends in Manitoba think it is okay.

**An hon. member:** Listen, you'll learn something.

**Mr. S. Smith:** —poor, the people who are the underprivileged in society. Somebody has to stand up for the little man. The large industries can defend themselves, the powerful unions can defend themselves; somebody has to stand up for the little man.

**Mr. Breithaupt:** Not the NDP.

Interjections.

**Mr. Warner:** We're going to have another debate on—

**Mr. S. Smith:** We think it is important that to some extent prices be dealt with and to some extent prices have been dealt with. We notice that the cost of living increase is much much lower since the Anti-Inflation Board than it had been in the previous year. This may be bad news to the NDP but we are pleased to see that inflation is beginning

to be brought under control and we give credit to the federal government for bringing in the Anti-Inflation Board.

Interjections.

**Mr. S. Smith:** Frankly, one of the things that worries me about the board is the effect that it has on productivity.

**Mr. Cassidy:** Because of the control on wages.

**Mr. S. Smith:** I am a little concerned that since most companies find themselves limited in the amount that they are able to declare as profit, an incentive to modernize and an incentive to become more productive has been removed from many sectors of the economy. I think this is something which the federal budget tried to deal with and frankly I am concerned about it, but I don't see that this is the place to go into great detail about the Anti-Inflation Board—all in all, I feel it deserves support and it in fact—

**Mr. Cassidy:** You want to keep control on wages and not on prices, eh?

**Mr. S. Smith:** —it has the support of most Canadians.

What has the provincial government's response been? They have accepted the Anti-Inflation Board and I commend them for it. They were able to give it strong support and I commend them for that. The Treasurer, mind you, did throw in a few disclaimers from time to time in speeches to Tory groups where he said, "We Tories would have done it differently, you understand," leaving people to guess and to wonder precisely what was the secret formula he had that he didn't let the rest of the population in on at the time.

Interjection.

**Mr. S. Smith:** But, nonetheless, despite these Tory disclaimers, the Treasurer has supported the Anti-Inflation Board and I give him credit for it and I agree with him. He was wise to do so.

**Mr. Cassidy:** That's not what you voted in December.

**Mr. S. Smith:** He had two choices as to how to go into the anti-inflation programme. In October when he was deciding to take one of the two choices—and that is to set up a provincial board to implement, roughly speaking, the same programme or to let the federal board do it—he chose, for reasons which he explained and which frankly I did not agree



with, and I still do not agree with, he chose to hand it over to the federal government.

At that time, frankly, I thought he should have chosen the route that Quebec has taken, and I believe Saskatchewan, and set up an Ontario board, not to do any great favours to the public service—

**Mr. Mackenzie:** As usual.

**Hon. Mr. McKeough:** Saskatchewan is not signing the agreement.

**Mr. S. Smith:** All right, I stand corrected. I am willing to stand corrected on that, but certainly there is Quebec. I remind you that at that time it seemed to me that we could have set up our own provincial board, not to deal more favourably necessarily with any of the groups that would come before that board, but in order to avoid certain disadvantages of sending people to Ottawa.

I realize that politically it was very expedient of the government to rid itself of a good many 'hornets' nests—people who were asking for very high wage settlements and where the government would have to be directly implicated in saying no—and they preferred to slough that off on to Ottawa. That is my reading; I am sure the Treasurer's reading was that they saw it as necessary to have a uniform board taking care of the whole country and it is a reasonable point of view. I don't share it but I will accept that he meant well at the time.

I am willing to say, however, that we might have had faster decisions made. I suspect they would have been cheaper; I notice that the bureaucratic expenses of the federal board are enormous. They are spending \$12 million whereas the Province of Quebec is only spending \$1.5 million and—

**Mr. Shore:** That is less than rent control, isn't it?

**Mr. S. Smith:** —in fact, the Ottawa board in my opinion has spent a great deal too much money.

**Hon. B. Stephenson:** The board hasn't done anything.

**Hon. Mr. Handleman:** They aren't doing anything; that doesn't cost much.

**Mr. S. Smith:** But, I think it would have been cheaper to have our own board. I think that we would have avoided some of the rather unfortunate arbitrary decisions that seem to have been made in which teachers, for instance, in adjacent neighbourhoods, find themselves receiving widely disparate salaries

because of some of the decisions that were made and because of the dates at which they reached their settlement. I think that kind of injustice could have been handled better at a provincial level.

I think, generally speaking, that I happen to be one who supports provincial rights—and this party has stood for provincial rights. I think it would have been better to have a provincial board right from the outset, but the government chose to go federally—and we know that they chose to do so in a way that avoided debate in the Legislature.

I know, Mr. Speaker, that you remember very well the pleas—and that is the only word for it—we pleaded with the government: "Bring it before us for a debate. Let us talk about which option you are choosing. Let us have our say on this matter." And you recall, Mr. Speaker, that they chose to avoid the Legislature and how we heard a lot of jokes about the fact that they lost 9-to-0. Apparently, from the member for Riverdale's point of view they only lost 7-to-2; and the Treasurer's point of view was that they lost 9-to-0. I would remind you, Mr. Speaker, that the only side in this House that was right on both accounts was the Liberal Party.

**An hon. member:** As usual.

**Mr. S. Smith:** So, what we have seen is a situation where the Attorney General went to defend the case of the Province of Ontario before the Supreme Court. And now, of course, we shall never know whether the 9-to-0 defeat was because the case was so weak, or because of the defence that it received. In any case, I think there was a certain magic mixture of those two qualities which resulted in that whitewash, and what we see is that the government has been slapped down in the courts again.

**Mr. Warner:** A coalition government.

**Mr. Davison:** You're going to support them.

**Mr. S. Smith:** Think back, Mr. Speaker. Can you imagine in the days of Mr. Drew and the days of Mr. Frost and the days of Mr. Robarts, that the government of Ontario would be slapped down in the courts twice in a month and a half on fundamental issues?

**Mr. Renwick:** And you support them.

**Mr. S. Smith:** That this government would show such contempt for the people of Ontario? That they would not consult with the small towns whose hospitals were involved?

That they would not consult with the people when they imposed regional government upon them? They would not even consult with the members of the Legislature on closing hospitals and on handing over the public service of Ontario to the federal government.

**Mr. Lewis:** After all that, this government still receives Liberal support.

**Mr. S. Smith:** I believe that we have reached a very pathetic level of government in this province, and the fact is that the courts—

**Mr. Swart:** And you keep them there.

**Mr. S. Smith:** —have become the place that the people receive the consultative process. This government has become distant from people, excessively centralized, very bureaucratic, highly secretive, and recently shown to be very incompetent.

About the only thing I could think of that could be worse than this particular government—

**Mr. Lewis:** Pathos on the one side; pathos on the other.

**Mr. S. Smith:** —would be the giant government that the NDP would impose on the Province of Ontario. It would be the bureaucracy of the socialist dreamers. It would be the bureaucracy of a divided party.

**Mr. Lewis:** That makes an assumption we will form the government.

**Mr. Nixon:** The assumption is that you're the only ones who would be worse.

**Mr. Lewis:** So to save Ontario from socialism, they will prop you up forever. Boy, oh boy, what a party.

**Mr. S. Smith:** This group of people, the NDP—

**Mr. Nixon:** There wouldn't be an Ontario with you people.

**Mr. S. Smith:** The NDP would, in fact, subject this province and this country to a massive bureaucracy. For a house, you would have your name on a list.

**Mr. Lewis:** Oh, come on.

**Mr. S. Smith:** Where, in fact, you would have government control of various—

**Mr. Cassidy:** You don't even have a list.

**Mr. S. Smith:** —aspects of our economy that would make this bureaucracy of the Tories seem pleasing by comparison.

**Mr. Renwick:** You are sure of that?

**Mr. Lewis:** How do you like that?

**Mr. Nixon:** Socialize. Nationalize.

**Mr. Deputy Speaker:** Order, please.

**Mr. Swart:** Here comes the bogey man.

**Mr. Lawlor:** Are you fantasizing this afternoon?

**Mr. S. Smith:** I can appreciate, Mr. Speaker, that referring to the NDP as socialists—

Interjections.

[3:45]

**Mr. S. Smith:** I appreciate that referring to the NDP as socialists is very offensive to half their members who represent, in fact, very conservative labour union sentiment instead of true socialism, but nonetheless there is suspicion of the socialist part left in at least some of the members here who haven't totally gone over to the more conservative labour unions. There are still enough of them that surely they are willing to stand up and accept the socialism, the dream, the Utopia which they have in mind, and not repudiate it the way some of the members have attempted to do.

**Mr. Lewis:** What is wrong with Utopia?

**Mr. Mackenzie:** Explain yourself.

**Mr. S. Smith:** Now let me tell you, Mr. Speaker, what the situation we now face is.

**Mr. Deputy Speaker:** Order, please. This is a very important debate. It's one of the most important debates that will ever come before this Legislature. I think that everybody's point of view should be heard. I think that the members should give courtesy to the speaker to be heard, give those visitors in the gallery an opportunity to listen, and I think if we did that we would have a much more successful exchange of ideas and I think that everybody would be a lot happier for it. I think you should do the courtesy to the person who has the floor to listen to him without interruption.

**Mr. S. Smith:** Thank you, Mr. Speaker. I appreciate your comments.

The question is, can we now, in fact, turn back the clock? The question is, can we now set up a provincial board in a way that would make sense when, in fact, so much time has passed? My own feeling and the feeling of our party is very clear, that, in simple words, it is now too late. I have suggested a selection of metaphors from which members are



free to choose as they please—a smorgasbord, so to speak, of metaphors, including eggs which have been scrambled, water which has passed under the bridge, and toothpaste which cannot be put back in the tube.

**Mr. Breithaupt:** I like the last one.

**Mr. S. Smith:** You like the last one? It's yours. The fact is that we have an Anti-Inflation Board in Ottawa which has gained a degree of public acceptance, which has gained a degree of familiarity, and nothing we should do should be, in fact, something to weaken that board.

**Mr. Moffatt:** Familiarity breeds contempt.

**Mr. S. Smith:** The NDP doesn't want any Anti-Inflation Board in Ottawa; the less of it they see the better. We do want an Anti-Inflation Board, we want a strong Anti-Inflation Board, and we feel that at this time to set up a provincial board would be to weaken the federal one, and therefore we say it's too late. At the time that the whole concept originated it could have been done quite well, but I think at this point it weakens it.

Let me point out to you that thousands of workers have already come before the federal board. In fact, 82,673 Ontario workers have been affected by the AIB decisions as of June 25, and a great many more have been affected since then, which are not tabulated yet. Of those, 55,290 are in the public sector and the remainder obviously in the private sector.

**Mr. Wildman:** How many court decisions?

**Mr. S. Smith:** The AIB has made decisions on 987 cases as of June 25, of which 186 are Ontario public service and 149 Ontario private sector. In other words, about one-third of the decisions are Ontario. They have built up a whole backlog of jurisprudence; they have built up the experience; they have trained the staff; they have gained the experience that's necessary. It does not seem reasonable to me that we should now duplicate all that, start all over again in Ontario, retrain everyone here, have them go through all the learning process, and duplicate the whole bureaucracy at the Ontario level at this point. It was a good idea then, but it's too late now.

The next question that comes up concerns the retroactivity of the bill that is being presented to us. We do not like retroactive legislation any more than anybody else does, but you know there are times when it can be a greater unfairness not to have retroactive legislation.

On that particular point, I have here this news release by the OSSTF. That happens to be an organization that I think a great deal of. I think it's done excellent work and it consists of fine people.

**Mr. Bounsall:** However—here comes the big “but”.

**Mr. S. Smith:** This particular news release, however, is a despicable document from an otherwise excellent organization. It's released by one Mark Barry, assistant communications director of the OSSTF, and let me read what they say about retroactivity. Let me tell you first of all what eliminating the retroactivity would mean. I asked their spokesman, “What is it you want us to do? If we eliminate the retroactivity, what will happen to your salaries?” They said: “We have an arbitrator's settlement and we will accept the arbitrator's settlement.”

What they are suggesting, Mr. Speaker—and what I hope you will tell to the paperworkers in your other capacity as a member and what I hope other members will tell to the paperworkers, the miners, the steelworkers and the autoworkers—what they are suggesting—

**An hon. member:** What about the textile workers?

**Mr. S. Smith:** —is that the teachers should be entitled to their 39.2 per cent increase while the paperworkers have been put back to 14 per cent. The paperworkers are not happy with their 14, their 10 and their eight. They say it is a substandard agreement but they have ratified it because it is one which “inevitably had to be accepted because of the imposition of wage and price controls.”

If we remove retroactivity and give these teachers their 39.2 per cent, is that justice for the other workers in this province? They are asking for something which is absolutely unfair to the bulk of the population of this province. They cannot expect that the Liberal Party will permit the teaching profession and the other public servants to get the higher settlements that arbitrators accepted and agreed upon, when in fact everybody else in society has had to conform with the Anti-Inflation Board and had their wages rolled back throughout the private sector.

Interjection.

**Mr. S. Smith:** The fact is we are not going to give them 39.2 per cent. If the NDP wants to give them 39.2 per cent, let them stand up and say so. Let them declare about it.

Interjections.

**Mr. S. Smith:** We feel that if the paperworkers had to settle, if the glassworkers have to settle, and if the steelworkers have to settle, the teachers are not a privileged group in society that, just because of the fact that the government bungled it, legally should be able to get away with such a high settlement, albeit that an arbitrator came down with it. The government's legal bungling is no excuse for that group in the public service to be treated any differently from the people in the private sector of this economy of Ontario, and we must be clear about that.

**Mr. Bounsall:** There's a concept called comparability, you know.

**Mr. S. Smith:** Therefore, when this particular release goes on to congratulate the NDP, I don't mind that. They are free to do that but they go on to insult the Liberal Party and let me read to you what this release says. When they say, "The provincial Liberal Party support for the government legislation in light of its non-confidence motion moved in December indicates an abandonment of position of principle in the face of political expediency," let me remind that organization—

**Mr. Davidson:** It is a matter of fact.

**Mr. S. Smith:** —that it was the NDP that voted the other way in December. At that time they abandoned their principle for political expediency and admitted that that's what they were doing.

Interjections.

**Mr. S. Smith:** Furthermore, they go on to say, "This move will make many Ontario citizens wonder if the party can now be taken seriously as a stable participant in the political life of the province." Let me tell you when this organization walks into this House and demands 39.2 per cent at a time when the paperworkers are held back, the steelworkers are held back and the autoworkers are held back, then they have abandoned all rationality in the face of monetary desires and they will make Ontario citizens wonder if the OSSTF can be taken seriously as stable representatives of this noble profession.

I have nothing against the organization, I have nothing against the teaching profession but this particular release is a despicable document. I would expect that there will be a retraction or an apology from that organization for that particular release.

Interjections.

**Mr. S. Smith:** In summary, what I am saying is that—

**Mr. Lewis:** The law is bad; there are bad sections.

**Mr. S. Smith:** —anti-inflation is something that has to concern all of us. We cannot sit back while the powerful companies and the powerful unions make deals between themselves which then result in higher prices for everyone. We have to protect the people on fixed incomes, the pensioners, the people who hold bonds and annuities for their old age, the ill, the unorganized workers, the unemployed, the people in weak unions, and only something which restricts the degree to which wages can go up in a strongly unionized sector and which controls the degree to which profits can be increased, only that kind of measure can protect the weak in our society.

**Mr. Cassidy:** What about prices? That's where the problem is.

**Mr. S. Smith:** The NDP can crow about prices and complain they are going to control them, but look at what happened in BC.

**Mr. Cassidy:** You haven't said a word about that.

**Mr. S. Smith:** The moment those controls came off, those prices went right up to where they had to be and their profits have still been controlled by the Anti-Inflation Board. The truth is that the prices will go up immediately price controls come off, and we know that. This is something they have gone through in BC. They have gone through it in the United States. We know that that's what happened. The AIB is a reasonable effort. It's a social document more than anything else. It's a reasonable effort to protect the poor, the downtrodden in society and the ones who don't have the powerful unions to speak for them.

**Mr. Lewis:** Oh, come on. They're not even part of the programme.

Interjections.

**Mr. Deputy Speaker:** Order, please.

**Mr. S. Smith:** We'll find out whether they're going to support the general strike in the fall, and we'll see whether the NDP is prepared to stand and let the people of Ontario know that their friends are the ones who already have powerful unions looking after their interests. My friends are the ones who are receiving pensions and are on fixed incomes, and inflation is killing them.



Interjections.

**Mr. S. Smith:** Mr. Speaker, I was going to conclude my remarks, but asinine comments which one hears from time to time, spoken perhaps elsewhere outside the chamber, suggest that the senior citizens' pensions are not covered by the programme. Do these people not understand that as inflation increases the value of a pensioner's dollar goes down; the value of a person's benefits on workmen's compensation goes down?

**Mr. Wildman:** That's exactly why they should control prices.

**Mr. S. Smith:** Don't they understand that when there's a certain amount of money in an economy, and when more of that money goes into the strongly unionized sector, when more of that money goes into the hands of those who belong to powerful unions, that means less real purchasing power is available for those who are not in the strongly unionized sector? They must surely know that. Why do they persist in saying this?

What we say is this: The government has, in fact, made a mockery of itself by going to the Supreme Court and being defeated when they should have allowed the House to vote on it in the first place.

**Mr. Davidson:** How were you going to vote?

**Mr. S. Smith:** The government has, in fact, prevented the province from having what would have been better, a provincial board. But too much time has passed, now, for that; and so we say we must all get together, we must support the fight against inflation and we must support the Anti-Inflation Board that exists. The time has passed to set up a provincial board, let's get on with the game. We have to agree that what the AIB has already done is retroactively correct; we must now face the future in a united way, coping with inflation and recognizing that inflation has as its worst enemies the least powerful in society.

**Hon. B. Stephenson:** Mr. Speaker, for several years past, in my former role dealing with many people who had problems with advancing inflation, I applauded, albeit quietly, the efforts of this government to awaken the federal government of this country to the need to face—

**Mr. Reid:** In the meantime running up fantastic deficits.

**Hon. B. Stephenson:** —that ever-growing problem of national inflation of the double-

digit variety. Along with thousands of other citizens in this province, and particularly those who were suffering greatly from the effects of inflation, I was disappointed that for many years the federal government failed to heed the warnings and the exhortations which emanated from this government in Toronto.

**Mr. Breithaupt:** Four years of deficits.

**Hon. B. Stephenson:** I think it's very fortunate for the people of Ontario, and for the people of Canada, that the government of Ontario did not become totally frustrated by the lack of response, which lasted for so many years.

**Mr. Roy:** They did, Bette, they did.

**Mr. Reid:** Oh, come on! Tell us about the 1972 and 1976 deficits.

**Mr. Speaker:** Order, please.

**Hon. B. Stephenson:** It continued to awaken the public concern for this national problem; to make the people of the province, and hopefully our federal leadership, aware of the fact that highest priorities should be assigned to this problem; that the need for national action was the need which was most important, that segmented provincial action would not, in fact, solve the problems nor find solutions for the problems emanating from double-digit inflation.

Therefore, very shortly after arriving at Queen's Park, I was somewhat gratified to find that, finally, the Prime Minister of this country got the message. On Oct. 13 he made a national statement which revealed to all of us that in fact the concerns which had been expressed so clearly by the provincial government of Ontario had managed to reach the Prime Minister's ear; he recognized that there were problems which he had to deal with and he announced a programme to begin to deal with the problem of inflation.

[4:00]

Shortly thereafter, I was privileged, as a member of this government, to attend the federal-provincial discussions which took place at the ministerial and official level—the discussions which were to explore the methods to be used to develop the programme for control of inflation in Canada. It became crystal clear, very shortly into those meetings, that unless the Province of Ontario committed itself fully to the programme and participated totally in the programme there would be no national programme—none whatsoever.

**Mr. Conway:** That was your energy policy too, eh?

**Hon. B. Stephenson:** This was clearly stated in several of the meetings by the senior ministers at the federal level and was certainly reiterated by senior ministers at other provincial levels as well. It became patently obvious to us that unless Ontario maintained its role as a keystone of Confederation that, in fact, this problem of national inflation could destroy all of us.

**Mr. Conway:** Not to say anything about the policies for teachers.

**Hon. B. Stephenson:** And as a result of that concern, as a result of our commitment to our role in Canadian Confederation, the Ontario government gave unqualified support to the programme shortly after it was announced.

We did, indeed, become very much aware that the federal programme was specifically directed towards the private sector; that the form of agreement which was developed between the provinces and the federal government would have a great effect upon the scope and the effect of the programme; the kinds of arrangements which were made between the provincial government and the federal government could, in effect, ensure that there would be disparity in the way in which the private sector was dealt with and the way in which the public sector was dealt with.

Therefore, there were many explorations of the method in which this agreement should be signed to ensure that both the private and public sectors of the Province of Ontario, the largest and most populous province of this country, would be dealt with equally under the anti-inflation programme.

We inquired, I suppose somewhat surreptitiously, around about the halls of Queen's Park to find out what the reactions would be of the members opposite to the development of a programme which would, in fact, provide provincial leadership for this national programme, the kind of leadership which was absolutely necessary —

**Mr. Singer:** How did that inquiry go on, along the halls?

**Mr. Speaker:** Order.

**Hon. B. Stephenson:** —to ensure that there would be a national programme and it became very obvious—

**Mr. Singer:** Did Darcy surreptitiously go along the halls?

Interjections.

**Mr. Speaker:** Order, please.

**Hon. B. Stephenson:** —that the kind of reaction which we would get, predictably, from

the official opposition, would be a total lack of support for the anti-inflation programme and, therefore, obviously no support for the provincial government in its attempt to play a major part in controlling national inflation.

It was obvious, as well, after a few preliminary discussions—

**Mr. S. Smith:** With whom?

**Hon. B. Stephenson:** —that the Liberal Party of this province, while they would support their federal brothers' initiative in this area—

**Mr. Breithaupt:** We call it the federal government.

**Hon. B. Stephenson:** —would demand that there be a provincial board established which could ensure at least two things. It would ensure that there would be a duplication of whatever bureaucracy was necessary to establish the anti-inflation programme.

**Mr. Breithaupt:** No so.

**Mr. Roy:** And protect provincial interests, yes.

**Hon. B. Stephenson:** It would ensure that there was duplication of expenditure for this specific programme and it would also ensure that there would be a different method of dealing with the public sector compared with that method of dealing experienced by the private sector at the national level. In order to ensure that there would not be a situation created in which there could be discriminatory circumstances for the workers —

**Mr. Roy:** Is that what is going on in Quebec?

**Hon. B. Stephenson:** —either in the private sector or the public sector, where the worker in the CUPE union would be dealt with differently than the worker in the UAW, it was decided by this government that we must commit ourselves to the federal programme totally, that we would not establish a provincial board.

Then we, of course, had two alternatives. We could either bring in legislation which would either be amended to develop a provincial board and ensure this kind of discriminatory action—

**Mr. Conway:** First things first.

**Hon. B. Stephenson:** —or we could, in fact, bring in legislation on which we would be totally defeated and submit the electorate of this province to yet another election—



**Mr. S. Smith:** So to avoid the will of the Legislature.

**Hon. B. Stephenson:** —in December of 1975, or January of 1976.

**Mr. S. Smith:** That is the divine right to rule, exactly, to avoid the will of the Legislature.

**Mr. Singer:** Why go to that terrible Legislature?

**Mr. Speaker:** Order, please.

**Hon. B. Stephenson:** We therefore accepted legal counsel at both the federal and provincial level—

**Mr. S. Smith:** Not federal.

**Hon. B. Stephenson:** —and federal; and had from the highest legal authority at the federal level the word that the method which we finally chose was both legal and constitutional. With that kind of support—

**Mr. Breithaupt:** Have you got the cigarette boxes on which they wrote their memos?

**Hon. B. Stephenson:** —we did, in fact, enact the order in council.

**Mr. Breithaupt:** They were wrong, weren't they?

**Hon. B. Stephenson:** There were many cries which were raised about Ontario participation in the programme, and they were from the constituencies which I deal with in my ministry, very happily. They were from the public service unions and from the private sector unions stating that our commitment to this anti-inflation programme would be the death-knell for collective bargaining. That is patently untrue. There may have been some misgivings in the early stages of the anti-inflation programme about the survival of collective bargaining, but it has become obvious recently that collective bargaining is very much alive and well and surviving in the Province of Ontario. This period of time, as I suggested in January, is being used as a pause period to consider other important aspects which may have been dealt with inadequately in other bargaining sessions.

We are, in fact, seeing a very active era in collective bargaining between employers and employees examining important issues. They are examining occupational health issues, examining the productivity issues, the right to work of workers, termination issues within their collective agreements. They are

examining a great many factors which, as I suggested, perhaps had not been given adequate exploration when the monetary issues were those which were primary in the collective bargaining process.

I think it has been a period of creativity really in collective bargaining, which I hope will continue. I hope it will continue for the entire period of Ontario's limited participation in the federal programme. I think that's something which really has to be emphasized. Although this province was enthusiastic in its support of a finely-developed initiative to begin to deal with double-digit inflation, we did limit our support specifically in order to allow this province, to allow its citizens, to allow the members of the Legislature, to allow the government an opportunity to examine its effects and to decide whether further participation would, in fact, be advisable.

As the hon. leader of the Liberal Party has said, obviously it is advisable that we look at this very carefully because the effects so far seem to have been reasonably beneficial. For the first time in three years the increase in the cost of living in this country has been smaller during the first six months than it—

**Mr. Wildman:** Food prices.

**Hon. B. Stephenson:** Food prices have increased slightly for a very good reason, because the farmers of this country are finally being paid adequately—or almost adequately for the products which they produce.

**Mr. Wildman:** Their prices haven't gone up.

**Mr. Deans:** You have got it the wrong way. It has gone down.

**Hon. B. Stephenson:** That is not quite true. However, there is a decrease in the cost of living. I think it is a direct result—

**Mr. Deans:** It is not quite true? It is true.

**Mr. Speaker:** Order, please. Fewer interjections would make for a better debate.

**Hon. B. Stephenson:** —of the joint governmental initiative against inflation. It is important, to realize that this Act to ratify the government's decision in January be passed as rapidly as possible, because the chaos which could result if there were a delay in enacting this, I think, is just inconceivable. During the period from October, 1975, to the present time, the Anti-Inflation Board has examined a number of contracts which

have been established within the Province of Ontario and they have affected approximately 145,000 employees. Of these, 58,000 were public employees and 87,000 are private-sector employees. But under the anti-inflation programme at the national level there are decisions pending which affect another 125,000 employees, the majority of whom are public-sector employees and the minority private-sector employees. If at this time we were to remove that large number of public-sector employees from this specific programme, we would, in fact, encourage inequities which I think would be insupportable in our efforts to control the inflation spiral and the problems which it has produced for our society.

I think it is also a very happy note to be able to relate that the employment problem which the hon. member for Riverdale has mentioned several times as being the primary one, is one which this government is examining extremely carefully and is working diligently with our federal counterpart to attempt to resolve, with some beneficial effect. Because the actual unemployment figure for the month of June in the Province of Ontario is 5.8 per cent, which is significantly lower than it has been for the last year.

I think there have been remarkable benefits, benefits which perhaps we did not anticipate from the anti-inflation programme. It has not been perfect. It is, indeed, as the former leader of the federal Progressive Conservative Party suggested, rough justice, but it is a method of justice which was absolutely necessary for the people of this country.

It was impossible for those, as the leader of the Liberal Party has suggested, on fixed incomes or on very small incomes to deal with this inflationary spiral, and it was the responsibility of all of us as citizens of this country to attempt to do something positive to improve the lot of that specific group within our society.

**Mr. Makarchuk:** You haven't done a darn thing.

**Hon. B. Stephenson:** There isn't any worker, there is no worker in Canada who is not feeling the effects of the anti-inflation programme, not one, and of course unlike that group of maliciously malevolent misanthropes who sit over there, I consider everyone, every single person who works in this country, a worker.

**Mr. Breithaupt:** Also nattering nabobs of negativism too.

**Mr. Lewis:** You said that quite mellifluously.

**Hon. B. Stephenson:** Be he a steelworker, an automobile worker, a construction worker, a physician, a lawyer, a politician—for instance, my hon. friend the Leader of the Opposition—I think we're all workers and we're all feeling the effects. I think the fact that we are all feeling this demonstrates that perhaps for once in this country there is some united effort to try to improve the future of the society of Canada.

**Mr. Bounsall:** If that's the best effort this country can make, heaven help us!

**Hon. B. Stephenson:** I believe very strongly that unless we continue to function in a co-operative partnership with the federal government in this programme specifically at this time, we shall, in fact, not have a future in this country.

There are other factors involved I must admit, some of them I don't like to look at, but I do believe that economically we must function together as partners and all of us as citizens, whether we belong to a trade union, whether we are unorganized workers, whether we are workers within the Legislature, have a real responsibility to get behind this programme to make it work to ensure that there will be a future for Canada and for those children we are raising, which will be the future of Canada.

**Mr. Makarchuk:** How much control are you putting on the spectators?

**Mr. S. Smith:** Your worship.

**Mr. Deans:** Mr. Speaker, I was interested in the comments of the member for Hamilton West, the leader of the Liberal Party, as I'm always interested in the comments of any member of the Legislature. I listened with particular interest because I thought perhaps this time he was going to tell us something about the way in which their policy is arrived at. Strangely enough, I did get a little glimmer of what they really believe. It seems the Liberal position is that if a government imposes some kind of hardship, some kind of acceptable measure on any sector of society, he would then move with haste to impose it on the remainder. That seems to be exactly the position that he takes, as he took during the debate on the rent control legislation.

**Mr. Shore:** What did you say, your honour, your worship?

**Mr. Sweeney:** What is your position?



**Mr. Roy:** You are confused, your worship.

**Mr. Deans:** The leader of the Liberal Party says that because the government of Ontario has moved to impose that which has worked a tremendous hardship on some sectors of the economy, because the government of Ontario has moved to adopt and accept the federal government's proposals wholeheartedly, the Liberal Party then wants to join with it to impose those same restrictive measures on anyone who isn't already under them. I don't quite understand that position—

**Mr. S. Smith:** You would if you had listened. You are making it up. You don't understand it. It comes from your own imagination.

[4:15]

**Mr. Deans:** —although I do recall it was brought to my mind that during the debate on the rent control legislation when we were speaking about the need to take some action to safeguard the elderly against the inordinate rent increases that were being forced upon them, the leader of the Liberal Party said, and I can't quote exactly, but said that—

**Mr. Shore:** Don't try, Ian.

**Mr. S. Smith:** Why don't you make it up as you usually do?

**Mr. Deans:** —that he didn't feel that it would be appropriate to give relief to one group unless it could be given to all.

**Mr. S. Smith:** What nonsense.

Interjection.

**Mr. Deans:** That was the position of the Liberal leader and that's the position of the Liberal Party.

**Mr. S. Smith:** Read Hansard.

**Mr. Deans:** Well, that's not the position that we take. We begin from the position that we think that the federal government's action was wrong.

**Mr. Conway:** Like your EMO position.

**Mr. Deans:** We begin from the position that we believe that the federal government did to the public of Ontario and to the public of Canada something which they ought not to have done.

**Mr. Breithaupt:** That is not what the judges think.

**Mr. Deans:** And therefore—oh, I didn't say they did it illegally, I said something they ought not to have done. And we don't agree—not for one moment do we agree—that there was within the proper definition of the word, a national emergency. We don't deny that there is a major problem with inflation. We don't deny that there need be government intervention in the field. We don't for one moment suggest that if we were a government we wouldn't be moving into the field to attempt to come to grips with the problems that are brought about as the result of inflation.

**Mr. S. Smith:** Then what is your complaint about?

**Mr. Breithaupt:** That's right.

**Mr. Roy:** Schreyer says that you are wrong, that there is a problem.

**Mr. Deans:** But when we would move, we would move to ensure that all sectors of the economy were treated with equality, that there was fairness in the legislation, that it recognized that you can't simply take certain areas of the economy and impose severe restrictions on them and expect that the remainder of the economy will somehow fall into line. And that's what the federal government did. And that's what the provincial government, with the support of the Liberal Party, is now doing to the remainder of the Province of Ontario.

**Mr. Shore:** Your cousins down there like it.

**Mr. Conway:** Read your speech in December, Ian.

**Mr. Deans:** I was going to say that we were going to talk about the Davis-Trudeau alliance, but it's now the Davis-Trudeau-Smith alliance.

**Mr. S. Smith:** Hear, hear. If it is to fight inflation you are darn right.

Interjections.

**Mr. Deans:** It isn't simply the acceptance by the government of Ontario, supported almost indecently by the Liberal Party, of—

**Mr. S. Smith:** If it is to fight inflation you are right.

**Mr. Deans:** —the measures that were imposed on the people of Canada and certain people in Ontario by the Liberal federal government.

**Hon. Mr. Davis:** Why don't you include Schreyer?

**Mr. Deans:** It's the move by this government and its allies in the Liberal Party to completely endorse and to involve themselves fully in what the federal government has done—

**Mr. Breithaupt:** Like Ed Schreyer; just like Ed Schreyer.

**Mr. Conway:** Read your December speech.

**Mr. Deans:** —in all aspects of the initiative of the federal government. And there is something terribly wrong with a government that thinks that you can begin to impose—

**Hon. Mr. Davis:** Do you really believe all this?

**Mr. S. Smith:** It may be his speech before becoming mayor.

**Mr. Deans:** —that you can begin to impose wage controls without having an equally forceful imposition of controls in profits and in prices.

**Mr. Shore:** You are nuts.

**Mr. Deans:** That's where the problem lies, and that's the reason why we couldn't support the measures in Ottawa.

**Mr. Bullbrook:** Time, your worship.

**Mr. Deans:** That's the reason why we can't support the government's initiatives here in Ontario, and that's why we find it frankly abhorrent that the Liberal Party hasn't got the intestinal fortitude to stand up and to say—

**Mr. S. Smith:** Who are you going to have run in the by-election, Stephen?

**Mr. Roy:** Your worship, don't be so partisan. If you become mayor you won't be so partisan.

**Mr. Speaker:** Order, please. Order, please.

**Mr. Deans:** —that they in fact do represent the public of Ontario, and that this government has lost the confidence of this House.

**Hon. Mr. Davis:** It's one of the more responsible things they have done; don't knock it.

**Mr. Deans:** What bothers us about the federal legislation is simply this. There are too many exemptions within the federal legislation; there are too many areas of the economy that—

**Mr. Conway:** Your salary.

**Mr. Deans:** —are not dealt with in the federal legislation; there are far too many areas that inflict tremendous hardship on the very people whom the Liberal leader was speaking about—the poor, the sick, the elderly, food being the most evident one—that don't come under the AIB programme, and one would think—

**Mr. Conway:** How about the fire fighters?

**Mr. S. Smith:** Your colleague complained the food prices were too low.

**Mr. Deans:** —one would think that the Liberal leader, if he were truly in opposition, would want to be discussing how that programme could have been changed —

**Mr. Roy:** Highly insulting.

**Mr. Deans:** —in order to make sure that it met the needs of the people of the Province of Ontario. My colleagues intend to talk about the areas of exemptions and the inadequacies of the federal programme that the government of Ontario together with its allies, the Liberals, are now going to thrust upon the remaining people of the Province of Ontario who were automatically brought under the scope of it at the time of its passage.

**Mr. Conway:** Talk about the EMO.

**Mr. Deans:** We're going to deal with the problems of increased food prices over a period of time. We're going to talk about the fact that energy doesn't fall within the ambit of the AIB. We intend to talk about interest rates and the problems that flow from leaving them free to travel as they will in whatever way they choose to go. We're going to talk about the difficulties that confront so many people living in municipalities who can't afford the tax burden they're having to carry simply because this government refuses to provide an adequate source of revenue.

**Mr. S. Smith:** What could the Province of Ontario do about interest rates?

**Hon. Mr. Davis:** Give him some legal advice.

**Mr. Deans:** I want to say to you, Mr. Speaker, that it's for us a simple matter to oppose this legislation because we believe that it is wrong. We believe that it would have been possible in Canada to have developed a co-operative effort with the major sectors of the economy that would have brought about an anti-inflation programme that would have had, if not the full, certainly the majority support of the people of the country.



**Mr. S. Smith:** The NDP outlined it in great detail, didn't they?

**Mr. Deans:** We believe that the major sectors of the economy, as spoken for at the moment by the chambers of commerce and the labour representatives, are in fact prepared to sit down and to seek the measures that would provide for some equity within the system.

**Mr. Conway:** The new alliance.

**Mr. Ruston:** The new alliance—commerce and labour unions.

**Mr. Deans:** We believe they are prepared to have imposed upon themselves or to take upon themselves the responsibilities to help in the curbing of inflation. But we also think that if that is to be done it must be done as the result of discussion, as the result of an effort being made by government, by business and by labour to find adequate and proper solutions.

**Mr. Smith:** Thirty-nine-point-two per cent.

**Mr. Deans:** They did not try. There was very little effort made. Let me tell you that both of the sectors outside the government haven't even made that approach.

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Wentworth only has the floor.

**Mr. Deans:** I'm accustomed to the member for Ottawa East blabbering on at good length to my left.

**Mr. Roy:** You are dreaming.

**Mr. Deans:** I want to tell you that two of the major sectors of the economy are at this very moment and have been all the way through the piece making representation to the government about the ways in which the government could bring in anti-inflation legislation which would be meaningful, workable and fair. I think the Province of Ontario acted as it did with undue haste and illegally, moving into the programme without thoroughly understanding the implications of it, not appreciating the exemptions and the force and effect that those exemptions would have on the economic stability of vast numbers of people in the Province of Ontario.

We think if the government of Ontario had played its rightful role and if it had consulted with those people over whom it has jurisdiction or at least their representatives, it could then have gone to Ottawa and could have laid

before the government of Canada a proposal which may well have gone at least some part of the way towards establishing the kind of overall programme with the co-operation of those sectors that we think is possible.

**Mr. Roy:** Like what?

**Mr. Deans:** Let me suggest, for example, that the CLC and the Ontario Federation of Labour have on a number of occasions proposed various and a great number of different proposals that could quite easily—

**Mr. Conway:** Which ones?

**Mr. Deans:**—be the foundation of an anti-inflation programme. Let me read to you from labour's "Programme for the Future." It's an interesting document that covers not only those who are within the jurisdiction of organized labour but takes into account the effects of inflation on the very people that the Liberal leader so piously speaks about as if he truly represented them.

**Mr. S. Smith:** Which ones did they give to Turner? What is the date?

**Mr. Deans:** I quote:

What is required is change in the way that important economic and social decisions are made. Business and government must now share their power with labour. If labour's co-operation is required to lead us out of our economic difficulties, then it can only be on the basis of a programme which recognizes the right to employment for a living wage as the cornerstone of a productive and equitable society, which recognizes the need to create jobs as the first economic priority.

Let me say that ever since I was elected to this House I have stood repeatedly and asked this government to show us its manpower policy—

**Mr. Conway:** They haven't got one.

**Mr. Deans:** —to show us the initiatives this government was prepared to take.

Interjections.

**Mr. Deans:** We have repeatedly, year after year—

Interjections.

**Mr. Deans:** —asked the government to show us the initiatives it was prepared to take to provide the economic stability that would bring about the jobs.

**Hon. Mr. Davis:** You have destroyed, with socialist philosophy, you have destroyed. Look what happened to the government of Britain.

**Mr. Speaker:** Order, please; the member for Wentworth only, order. Thank you.

**Mr. S. Smith:** Another Britain is what you want.

**Mr. Deans:** I can recall asking the former member for Hamilton West, Mr. McNie, now departed—not from this earth but from this House—what his job was, because he was named as the minister in charge of manpower. You know what he said to me? “I don’t know.”

I asked him could he tell me what he had done? He couldn’t tell me a thing. I then got up, in a new session of the Legislature, and asked the Premier if he could tell me who was in charge of manpower.

**Mr. Shore:** We asked you the same question.

**Mr. Roy:** Ask him what his job is going to be.

**Mr. Deans:** It turned out to be the Minister of Labour. I asked the Minister of Labour if she could tell me what she had done in the field of manpower and job creation. Not one single thing could she tell me, not one; because this government, over the nine years I have spent in this Legislature, has done virtually nothing to create jobs and has played a hand-in-hand game, with a great number of American companies, to eliminate jobs in the Province of Ontario.

**Hon. Mr. Davis:** How many jobs were created in any comparable jurisdiction?

**Mr. Deans:** Let me go on: “Which contains a commitment to protect those who suffer from inflation by taxing those who benefit.”

**Hon. Mr. Davis:** Nonsense. Eliminate the American companies? Tell that to the UAW.

**Mr. Deans:** “Which includes a commitment to redress this country’s unacceptable record in redistributing income; which recognizes that an equitable society—”

**Hon. Mr. Davis:** Eliminate the American companies, that is what he said; Oshawa is trembling.

**Mr. Speaker:** Order please.

**Mr. Deans:** “—can only be achieved if the power of corporations to set prices is constrained to match the constraint which is imposed on the price of labour by the collective bargaining process; and which recognizes the private investment decisions must serve the interests of ordinary taxpayers, ordinary people in the Province of Ontario.”

They go on to say, I might bring to the attention of the leader of the Liberal Party, that organized labour is committed to these objectives and principles.

**Mr. Grossman:** This must have been left over from the convention.

**Mr. Deans:** The only guarantee that they will be honoured in our national economic and social decisions is if organized labour is a full partner in making these decisions.

This is the same group that the member for Hamilton West—the leader of the Liberal Party—stood up and ran down just a moment ago; he stood up and blasted them out of the Province of Ontario for their greed. Those are the people who are standing up, prepared to share not only in the restraint but prepared to share in the decision-making; they are prepared to share equally.

**Mr. S. Smith:** Give me the date of it. You know it was after the AIB. There was no constructive suggestion from the NDP before the AIB.

**Mr. Lewis:** Oh don’t be silly.

**Mr. Deans:** They go on to say, Mr. Speaker—and I know if the member for Hamilton West is not interested in it (at least you are).

What is required is a system of national social and economic planning. Only through planned development will we be able to direct investment to create jobs and secondary manufacturing in the regions where it is most needed, to ensure that the resources are available to meet the basic needs such as housing, to implement a programme of national manpower planning, to plan future urban growth and protect land for food production, to negotiate the distribution of our national income on an equitable basis and to develop a national transportation policy which would complement a national industrial strategy, to implement a social security and health services system which would apply equally to all Canadians and to establish our national and social and economic priorities.

I want to say to the member for Hamilton West, who finds so much fault with the very



people who have committed themselves to work for that kind of a programme, hand-in-hand, together with the other major sectors of society, that if he doesn't think that is progressive, if he doesn't think that's responsible, if he doesn't think that is responsible, then I ask him to stand up and show me his programme.

**Mr. S. Smith:** Only they want 39.2 per cent; and they had nothing to suggest before the AIB was set up.

**Mr. Deans:** Let me go on, for a moment, because I have a minute or two left. I want to raise with you the bogey man of how this programme is, in fact, having a beneficial effect on the inflationary spiral; and I want to quote from another recent article, because these people have done significant research in the field.

[4:30]

Let me quote from a recent *Globe and Mail*, July 13, 1976:

The recent downturn on the inflation rate to just under nine per cent has resulted mainly from a reduction in food prices at the farm gate [I wish the Minister of Labour were here to hear it], weakness in world prices for commodities and the four per cent upward revaluation of the Canadian dollar which reduced import prices.

It had nothing, or virtually nothing, to do with the measures taken by the federal government and so eagerly endorsed by the provincial government and supported today by the Liberal Party.

Interjections.

**Mr. Deans:** It goes on:

But industrial commodity prices have turned upward again and they are showing year-over-year gains of 30 and 40 per cent in some cases.

Furthermore, there will be few declines in food prices, energy prices will continue to increase sharply and import prices will rise as the Canadian dollar drifts downward again from its artificially high level of more than \$1.03 (US).

The gloomy prospects suggest that Ottawa will have to tighten restrictions on wages and profits [It would be nice if they would even impose restrictions on profits, never mind tightening them] just to keep the inflation rate from turning upward again in 1977. [And he goes on to say] After a slight decline last year, corporate

profits are expected to rise by about nine per cent this year and another 15 per cent in 1977.

With wage and salary incomes restrained by controls, the pace of consumer spending will be moderate. Economists believe consumers will lower their savings rate from over 10 per cent last year to nine as inflation subsides in the months ahead and this will keep consumer spending rising about the same rate as the GNP.

Of course, the side effect of that will be less money available for lending, which will in itself once again drive up the interest rates. That will again have a detrimental effect on the housing market and that will again create problems for the very people who work in this province and earn wages and salaries and even at this point can't afford to buy a home in which to live.

That's the crux of all of this; that you say on the one hand that the anti-inflation programme is working and creating this kind of beneficial result, but the fact of the matter is that that isn't so. These are the results, the benefits that you are seeing at the moment, and a downturn is the result of other factors not even contained within the anti-inflation programme, factors which are not borne upon nor in any way relate to what the anti-inflation programme has jurisdiction over. Yet you would take yet another group of workers and place them within the ambit of the responsibility of the federal government which has shown little if any responsibility to workers in the Province of Ontario over many years.

I want to tell you, Mr. Speaker, that as far as we are concerned in this party that there is a definite need for a co-operative programme in the Province of Ontario. There is a definite need for a co-operative programme across the country. There is a need for the government to sit down with those people who speak for and on behalf of the major economic segments and sectors of the country to work out a programme along the lines of that proposed, not necessarily entirely consistent with but at least using as the foundation that which was proposed by the leaders of the labour force in the country. Because it's only with that kind of foundation will we be able to guarantee that the next generation of Canadians growing up won't still be faced with anti-inflation boards, won't still be faced with wage restraints, won't still be faced with inadequate Conservative and Liberal governments.

**Mr. Singer:** Mr. Speaker, I regret I have no quotes from Marcus Aurelius; not a single

one from Gibbon. On the other hand, I could paraphrase one of Winston Churchill's and it goes something like this—

**An hon. member:** Another bore.

**Mr. Singer:** —if the NDP should endure for 1,000 years, this will not have been their finest hour—

Interjections.

**Mr. Singer:** —because we have heard two speeches, one from the member for Riverdale and one from the soon-to-be mayor of Hamilton—

**Mr. Roy:** He will never make it on that speech.

**Mr. Singer:** —which really, if we listen to them and if we accept them, would bring to the Province of Ontario economic chaos. If the House voted as these two hon. members are suggesting—

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Wilson Heights only. Thank you.

**Mr. Foulds:** You mean he is going to give a speech for a change?

**Mr. Speaker:** Order, please.

**Mr. Singer:** Mr. Speaker, if the House voted as these two hon. members suggested, the Province of Ontario would be left without any controls whatsoever in the public sector; and I suppose that's what they want. They've been told that's what they want, and that's what they're doing. They've accepted their orders; they've accepted their marching orders. The only hint of a positive suggestion came a few moments ago from the hon. member for Wentworth, and he said there's a definite need for a co-operative programme. Lo and behold, in July of 1976 we have had the hint, the barest hint, of what they might do. It's the choice of a co-operative programme in July or chaos. Which would you like?

**Mr. MacDonald:** You weren't listening.

**Mr. Singer:** Where were they in December, when there was an opportunity to have Ontario set its own house in order? They were voting with the government because they didn't want the kind of provincial control over its own public sector that we believe there should be. That's where they were in December; they were without a positive suggestion.

**Mr. Roy:** Where were their principles in December?

**Mr. Singer:** Mr. Speaker, I would like to deal at some length with the Dear Roy and Dear Jim letters, but I won't. I notice that they're dated Oct. 30, and they followed very closely the day after the remarks made by my hon. colleague, the member for Sarnia (Mr. Bullbrook), who first brought this matter to the attention of the Legislature. I don't think I'm really overstating it if I suspect that the hon. member for Riverdale, who's a somewhat slow reaction, reacted a day late to the problem and followed the lead given by the member for Sarnia.

**Mr. Roy:** Probably.

**Mr. Mackenzie:** He just thought it through.

**Mr. Breithaupt:** He got it out of Instant Hansard.

**Mr. Singer:** The only defence we've had up to date of the Ontario government's programme was the rather unusual speech given by the Minister of Labour. She used a remark that rather tickled my fancy. She said: "We, the Tories, inquired surreptitiously around the halls of Queen's Park to find out what the reaction might be."

**Mr. Breithaupt:** They used vacuum cleaners.

**Mr. Singer:** I ask you, Mr. Speaker, if you can picture with me—it boggles my mind a little—the hon. member for Chatham-Kent (Mr. McKeough) inquiring surreptitiously around the halls of this building. I can't envision it.

**Mr. Roy:** He didn't talk to me. We're co-operative.

**Mr. Singer:** You see, Mr. Speaker, when we listen to the hon. Minister of Labour and hear her talk about the surreptitious inquiries, one must look back at Hansard and see what, in fact, the hon. Treasurer had to say. He said on Oct. 30: "Our major responsibility is to fight inflation in the best possible way, and not to quibble about the constitution."

**Mr. Nixon:** Sounds like C. D. Howe.

**Mr. Roy:** What's a million?

**Mr. Singer:** To heck with the constitution. And you take that remark, and add to it the remarks of the hon. Minister of Labour, and it's clear the philosophy that these people have is that they feel they have a divine right to rule. The constitution be damned!

They were afraid, Mr. Speaker. They were afraid to come into this Legislature, lay out



their programme and ask for legislative approval of what they planned to do. That's their problem. They believe—and the Treasurer is the worst offender—that they have a divine right to rule and they can do whatever they want. That is why they make mistake after mistake after mistake.

One has to wonder, whence came the opinion of the Deputy Attorney General—a fine man, a good civil servant, a good lawyer. But isn't it interesting that in a matter as serious as this one the Deputy Attorney General reduced his opinion to some 2½ pages—

**Mr. Breithaupt:** And forgot the date.

**Mr. Singer:** Forgot to put a date on it. I guess he had it handy there in case the Treasurer might want that kind of opinion after the failure of his surreptitious inquiries around the halls of Queen's Park. But there it was. Mr. Justice Laskin took some 68 pages to deal with this very important problem. The Deputy Attorney General solved it all in 2½ pages. It was too much for the Treasurer to worry about niceties of constitution. "Let's get on with the business; let's pass an order in council. Let's ignore the Legislature; it's just a big nuisance. We don't want to do any of that."

I think it is important that the kind of questions put forward by my colleagues, the members for Ottawa East and for Sarnia, and from a number of other members of this party, finally are getting their appropriate answer. The significant judgement is not, as the member for Riverdale said, the judgement of Mr. Justice Beetz. The significant judgement is the judgement of the Chief Justice. The Chief Justice gave a judgement, concurred in by three of his colleagues, that made four. Mr. Justice Ritchie gave his judgement, concurred in by two of his colleagues, that made seven, and Mr. Justice Beetz, as is his right and responsibility, gave a judgement concurred in only by one other. So when the hon. member for Riverdale says that is the significant judgement, I am surprised and shocked, really, at the approach that he can take and the way he can enshrine, or attempt to enshrine, a minority judgement and say: "There is the only wisdom in the judgement of the Supreme Court of Canada."

**Mr. MacDonald:** You quoted Churchill earlier and it was wrong.

**Mr. Singer:** The Premier, at least, learned a lesson and he said, "One does not argue with the majority of the Supreme Court of Canada," but that's not enough for the member for Riverdale. He knows better than that.

When he says that's the only significant judgement he is oh, so wrong, and he knows he is oh, so wrong.

**Mr. Nixon:** He has a lot of self-confidence though.

**Mr. Breithaupt:** It was really 7-to-3, you see.

**Mr. Singer:** You see, Mr. Speaker, when Mr. Justice Beetz wrote his judgement, and I think there's a lot of good common sense in it, unfortunately it is not the law of this land. The law of the land is the decision of the majority of that court and not Renwick's opinion, and not Beetz's opinion; it's the opinion of the Chief Justice and the other six who went along with him. That's the law of the land, and so much for the finest hour of the member for Riverdale.

**Mr. Roy:** In fact, his opinion is only worth \$1.

**Mr. Singer:** Mr. Speaker, there are some very important phrases in all of these judgements. Mr. Justice Beetz sounds a warning note and I think it's worth noting. On page 7 of his judgement he says—

**Mr. MacDonald:** You just condemned him.

**Mr. Lewis:** You are quoting who? Who are you quoting?

**Mr. Singer:** No, I'm not saying it's the ultimate. I'm saying there's a warning note and that's why I say to the hon. Leader of the Opposition that he and his colleagues—

**Mr. Lewis:** Who are you talking about?

**Mr. Singer —** should have been sufficiently alert last December when there was an opportunity to set this matter right. He and his colleagues should have been concerned to vote with the amendment that was put forward in the Throne debate and then we would have avoided this.

**Mr. Breithaupt:** All would have been set right.

**Mr. Lewis:** Don't give us warning notes from a minority. Don't give us warning notes from dissent.

**Mr. Roy:** You said in December: "I'm not going to posture." What are you doing now?

**An hon. member:** Tell us what you're going to do.

**Mr. Singer:** I will, just be patient. I'm coming to that. The warning note has to be sounded, and it is this, and I suggest that the hon. Leader of the Opposition and his col-

leagues, and particularly his close adviser, the member for Riverdale, should be alert to this kind of sentiment:

Indeed, since practically any activity, or lack of activity, affects the gross national product, the value of the Canadian dollar, and therefore inflation, it is difficult to see what would be beyond the reach of Parliament.

That's the kind of thing that we're concerned about.

**Mr. Renwick:** That is exactly right.

**Mr. Singer:** And we've got to be concerned about it. However, in this case, the majority of the court said the question of inflation is a problem for the whole of Canada. Had the NDP supported the motion of non-confidence put last December, we would—

**Mr. Renwick:** They said it was a national emergency.

**Mr. Singer:** —have had a vehicle available to us here in the Province of Ontario to control our own public sector. But no, they sold out. They sold out because they did not have the courage or integrity to support the only logical suggestion put forward in this Legislature.

**Mr. Nixon:** And the Treasurer used their votes as an argument for the agreement.

**Mr. Bullbrook:** Exactly. That is the sad part of it. He used you people to support what he said.

**Mr. Renwick:** No, no.

**Mr. Bullbrook:** Certainly he did. You know it. He said there was a debate on the issue.

**Mr. Singer:** You see, Mr. Treasurer, that's the man who walks up and down the corridors of these buildings inquiring surreptitiously and saying: "Don't bother me about constitutional niceties." He seizes on that kind of nonsense and that's why we're in the position we're in today, where we have the choice of supporting the wrong step taken by this government or accepting economic chaos, as the NDP would have us do.

**Mr. Nixon:** We don't have to support Joe Morris; you do.

**Mr. Davidson:** It may be the first time he was ever right.

**Mr. Martel:** You have to support Bill Davis.

**Mr. Breithaupt:** That was Joe Morris he was talking about.

[4:45]

(Interjections.)

**Mr. Roy:** Did the Treasurer really talk to anybody here?

**Mr. Speaker:** Order, please. The hon. member for Wilson Heights can continue.

**Mr. Singer:** Since the Leader of the Opposition was so anxious to hear some appropriate quotes from the judgement of the Chief Justice, let me give him one or two. On page 57 the Chief Justice says this:

In enacting the Anti-Inflation Act as a measure for the peace, order and good government of Canada, Parliament is not opening an area of legislative authority which would otherwise have no anchorage at all in the federal catalogue of legislative powers but rather it is proceeding from legislative power bases which entitle it to wage war on inflation through monetary and fiscal policies and entitle it to embrace within the Anti-Inflation Act some of the sectors covered thereby but not all. The circumstances recounted above justify it in invoking its general power to extend its embrace as it has done.

That is the law of Canada as pronounced by the majority of the Supreme Court of Canada. That's what it is all about. That is what my leader was talking about when he spoke in this debate a few moments ago. That is what we support. That is what the Supreme Court of Canada has said is valid and is proper and is logical and is reasonable. Let me deal just a little more elaborately—

**Mr. Renwick:** They didn't say it was reasonable.

**Mr. Singer:** —with what the Supreme Court has had to say about the actions of this government, insofar as implementing the statute by order in council. There is one paragraph on page 65 of the Chief Justice's judgement, also now the law of Canada, and it really always has been. This is what my colleague from Sarnia was talking about; this is what I have been talking about, this is what many of us have been talking about for quite some time and this is even what Dear Jim said to Dear Roy in his famous exchange of correspondence.

**Mr. Breithaupt:** A day late.

**Mr. Singer:** If you are going to do things in this Legislature, you do it by enacting statutes. This is how the Chief Justice put it.



**Mr. Bullbrook:** We don't like to quibble, mind you.

**Mr. Singer:** He said:

Nor does the issue engage any concern with responsible government and the political answerability of the ministers to the legislative assembly. Rather what is at issue is the right of the Crown, although duly protected by an order in council, to bind its subjects in the province to laws not enacted by the Legislature nor made applicable to such subjects by adoption under authorizing legislation. There is no principle in this country—

that means in the whole of Canada, even in Ontario where some people think the divine right to govern exists:

—as there is not in Great Britain, that the Crown may legislate by proclamation or order in council to bind the citizens where it so acts without the support of a statute of the Legislature.

**Mr. Bullbrook:** It's a novel concept; it really is.

**Mr. Singer:** No one really ever thought of that, I suppose, until Laskin wrote it out again. There was a man named Dicey who has been writing about constitutional laws for a long, long time. This is a quote out of Dicey's famous book, well accepted even by such people as the Treasurer, but he can't be bound up with constitutional niceties.

**Mr. Nixon:** The Treasurer reads Dicey every night before going to bed.

Interjections.

**Mr. Breithaupt:** Darcy on Dicey.

**Mr. Singer:** What is at stake and what has made this whole exercise worthwhile is maybe at long last there is a recognition that the rule of law applies in this province, not the rule of McKeough. I think that is very important. Maybe the government hasn't learned its lesson yet. You remember, Mr. Speaker, when we talked about the Ombudsman and again with the support of the NDP, democratic party that they are, we passed a resolution amending a statute, again just as bad as trying to do what was done here by order in council when it should have been done by statute.

**Mr. Bullbrook:** Taking it away from the Legislature.

**Mr. Singer:** It was illegal and improper and even against several opinions of the law

officers of the Crown. But the NDP hasn't learned its lesson and the government certainly hasn't learned its lesson. As they inquire surreptitiously around the halls as to what they can get away with, I would think that maybe the answer can come back loud and clear that this Legislature is important and the Legislature, not Darcy, governs the people of Ontario. That's what this is all about.

**Mr. Deputy Speaker:** I think the member for Wilson Heights should remember that you refer to another member by his riding and not by his name.

**Mr. Singer:** Oh I'm sorry, the hon. member for Chatham-Kent; you're quite right, Mr. Speaker.

We are not governed by the hon. member for Chatham-Kent. And he should worry, he has to worry. No less a person than the Chief Justice of Canada and six of his colleagues have said he has to worry about constitutional details. He, too, is part of the law of this province, not part of the people who govern beyond the law.

The reason we are supporting this bill that is before us today is to avoid the economic chaos that the NDP would create. To wipe out absolutely what has gone before would create the worst kind of economic chaos.

**Mr. Warner:** Let the voters decide.

**Mr. Singer:** The only reason they are taking this posture today is because they think this is going to do them some good, this is going to curry favour with Joe Morris and some of the others; it isn't. They would throw the province into the worst kind of financial hysteria, mismanagement and problems that could possibly be imagined to exist.

**Mr. Davidson:** Why don't you let the voters decide that?

**Mr. Singer:** Mr. Speaker, finally, we have to say, as loudly and as clearly as we can, that this lesson that has been taught to the government of Ontario by the Supreme Court of Canada, that they too are subject to the law, has to be learned and has to be learned well; and that to go back again to surreptitiously scurrying around the halls to see what they can get away with is no way to run a province.

**Mr. Martel:** You're helping them.

**Mr. Warner:** That is how you keep them in business.

**Mr. Singer:** We are going to vote for this. We say a plague on the socialists' house because we don't believe in economic chaos; and we say a plague on the government's house because they act against the law.

**Mr. Deputy Speaker:** The hon. member for Chatham-Kent.

**Mr. Roy:** Who did you talk to over here, Darcy?

**Mr. S. Smith:** Divine right himself.

**Hon. Mr. McKeough:** Mr. Speaker, I'm delighted to take part in this debate this afternoon on second reading of the bill.

**Mr. Lewis:** He rises to his feet.

**Hon. Mr. McKeough:** I have listened with interest to those who have gone before. The lawyers in the Liberal Party, and the near lawyer in the Liberal Party, have had their day on constitutional niceties and legalisms; and I'm sure the member from—formerly from Downsview, where is it he is from now?

**Mr. Roy:** Wilson Heights.

**Mr. Singer:** Next to Chatham.

**Hon. Mr. McKeough:** He really hasn't improved, whether it's Wilson Heights or Downsview. I'm sure he's impressed himself this afternoon, but he leaves me a little unimpressed, I must say.

**Mr. Singer:** Darcy, I was hoping you would give me a gold star, I really was.

**Hon. Mr. McKeough:** I am interested in the approach taken by the official opposition to date.

**Mr. Conway:** Have you got a QC, Darcy?

**Hon. Mr. McKeough:** After they've gone through their 11 or 12 speakers, or however many they have, I hope some of them at least—because the member for Riverdale did not, and the member from Hamilton did not—offer one constructive proposal as to what might take place.

I'm afraid I do have to agree, I think they have a right and a responsibility and a duty to oppose; but they also, in this House, have some responsibility to propose. And no proposition, no proposal, nothing constructive, has come forward from that party yet, I say, on this issue. Since Oct. 14 nothing very constructive has come forward, and it's about time—

**Mr. Davidson:** Louder, I can't hear you.

**Mr. MacDonald:** You have nothing either.

**Hon. Mr. McKeough:** It is about time the Leader of the Opposition remembers this isn't the Hart House debating society, that he is the Leader of the Opposition and if he really wants to curry favour he's going to have to come forward with something constructive; he's going to have to say what he proposes to take the place of the legislation that's before the House this afternoon.

**Mr. Lewis:** Come off that stuff, we don't have to give you alternatives. We're not the government yet.

Interjections:

**Mr. Deputy Speaker:** Order, please. The hon. member for Chatham-Kent has the floor.

**Mr. Nixon:** Why don't you dissolve the House, Mr. Speaker?

**Hon. Mr. McKeough:** There you are. They, Mr. Speaker, have nothing to propose to us.

**Mr. MacDonald:** You haven't either.

**Hon. Mr. McKeough:** It will be interesting, Mr. Speaker, let me spend just a few moments relating to the House what the actions of the government have been and continue to be to control inflation in Ontario and play our part in controlling inflation in Canada.

I want to outline again for the members the scope of the inflation which we faced last fall, to emphasize the seriousness of the economic situation in which we found ourselves. I want to review for the members the factors which led the government to opt for an agreement which would bring the public sector in Ontario—and that's what we're talking about—under the programme guidelines in the way in which we did. I also want to briefly review the performance of the anti-inflation programme to date and to reaffirm our support of it.

The problem of simultaneous high inflation and high unemployment in Canada stemmed primarily from unprecedented pressures, which were a feature of the international economy through 1972 and 1973. Most industrial economies were enjoying a boom of major proportions, creating shortages in a number of commodities. A poor harvest in 1973 pushed food prices sharply upwards in most countries. The revaluation of several currencies abroad produced strong demand for Canadian exports and



increased the cost of imported goods. Finally, the world economy suffered a major shock as oil-producing nations dramatically increased the price of their crude oil.

I don't need to remind the members of the double-digit inflation which ensued, not only in this country but around the world as well. The adjustment to that environment forced our trading partners into deep and prolonged recessions from which only now are they recovering.

Primarily because of our relative self-sufficiency in oil, the recession has been relatively less severe in Canada. While unemployment has reached unacceptable levels here, we have for the most part avoided the high and prolonged unemployment suffered elsewhere.

So while we were spared the bitter medicine of recession, we also avoided the adjustment in expectations which others were forced to accept. Canada had suffered through three years of strong inflation. In this situation it was only natural that every group in our society was attempting to hedge against the future by demanding high prices, high wages, high salaries—increases from the economy generally. Prices were and still are rising faster in Canada than in the United States. And wage settlements in manufacturing were significantly outstripping US levels. Our prospects for short-term recovery and for longer-term international competitiveness were seriously threatened.

Mr. Speaker, there was every indication that a moderation of price increases in this country would be a painfully slow process. Furthermore, the slowdown in the United States economy was going to have a spillover effect here and there was significant danger of a general decline in business and public confidence in the economy with prolonged and devastating effect.

Facing up to these prospects, the government of Ontario had been calling for some time for national action in dealing with these issues. At Premiers' conferences in 1974 and 1975, Ontario had pledged itself to fully cooperate with the federal authorities in seeking solutions to the inflationary pressures we faced.

We called for federal leadership—all the Premiers called for federal leadership. And let's put the constitutional niceties in the context in which they were raised. The Premiers of the 10 provinces, to my recollection, indicated to the government of Canada that national action was needed; that if national action was to be taken there might well be a possibility of constitutional challenges.

The Premiers of the provinces indicated firmly to the Prime Minister of Canada, both in 1974 and in 1975, that they would not raise the constitutional issue, nor did they raise the constitutional issue. So let's put that in context.

What the member for Wilson Heights described as not quibbling about constitutional niceties was, in fact, a commitment made by the Premiers of the provinces of this country, by the governments of the provinces of this country.

[5:00]

Mr. S. Smith: You had the other option. Quebec took the other option for this.

Hon. Mr. McKeough: Quebec certainly did. Quebec more than any other province said, "We will not raise the constitutional issue."

Mr. S. Smith: You had the other option. That is not a constitutional matter and you know it. You had two options and you know it.

Hon. Mr. McKeough: Oh, it isn't a constitutional matter. That's fine.

Mr. S. Smith: You know it.

Mr. Bullbrook: Not to come to the Legislature—

Hon. Mr. McKeough: The issue of not quibbling about the constitution was raised by the leader from Wilson Heights as a complete red herring.

Mr. Roy: Did you say that or didn't you?

Hon. Mr. McKeough: That statement had nothing to do with whether the agreement would come to this Legislature or not. It was whether the several provinces would raise the constitutional issue. Get the facts straight. Even if he doesn't interpret them correctly, I say to my friend, the leader of the third party, let him get his facts straight. It would be helpful occasionally.

Mr. S. Smith: We always have our facts straight.

Hon. Mr. McKeough: No, you don't. You don't have them straight.

Mr. S. Smith: This is just pure hogwash you are giving us. You know you had two options. You know you didn't have to hand them over.

Mr. Deputy Speaker: Order, please.

Mr. S. Smith: That is not a constitutional quibble.

**Hon. Mr. McKeough:** The provinces agreed to put aside any constitutional quibbles that they might have about the federal legislation. That action then came last October and Ontario immediately gave its unqualified support. We placed and we continue to place the highest priority on co-ordinated national action to meet what we saw as a national problem. While we had our reservations about some aspects of the federal programme, we undertook to co-operate fully with the federal government.

I was asked what those reservations were. I've never made any secret of them. They happen to be the same reservations which are held by the former leader of the national Conservative Party and which happen to have been expressed since by the former Minister of Finance for Canada, Mr. Turner. We felt, I felt, this side felt, Mr. Stanfield felt and Mr. Turner has since said, that the programme should have started with a 60- or 90-day freeze. We've made no secret of that fact as was suggested by the member for Wilson Heights.

**Mr. S. Smith:** That's your only difference with it, is it? Is that your only difference?

**Hon. Mr. McKeough:** The federal programme consisted of a set of income guidelines, an administrative and monitoring structure and a plan to restrain government expenditure. Price increases were to be limited to a reflection of cost pass-through. Basic standards were established for all wage and salary increases which took into account target cost-of-living and productivity performances. In addition, the provinces were requested to undertake individually programmes of rent control consistent with national goals. Some members were aware Ontario had previously announced its intention to introduce rent review and we instituted a programme of rent control in full co-operation with the national standards.

**Mr. Shore:** How is that working?

**Hon. Mr. McKeough:** Finally, the federal legislation provided for participation in the price and wage restraint programme by the provincial public sector. The form of that agreement is really the subject of our debate today.

From the beginning the government has been clear in its intentions to enter into an agreement with the federal government which would bring the provincial public sector under the programme of restraint administered by the federal Anti-Inflation Board. The restraint adopted by Ottawa was a plan

which required temporary sacrifice by all Canadians. Equity demanded that employees of the provincial public sector should be asked to undertake the same sacrifices—no more and no less than other elements of our society were being asked to make. If we were to set up a separate review and enforcement body, public servants in Ontario would inevitably be subject to different decisions. Such inequities would have led, I am convinced, to a serious erosion of the national effort and, consequently, a higher rate of inflation in this country.

**Mr. Nixon:** Or lower.

**Mr. Bullbrook:** That isn't the experience in Quebec.

**Hon. Mr. McKeough:** As I've stated several times before, we do not agree with the idea that was put forward last fall, which has been raised again recently, that the government has a "special relationship" with some groups in the province. In some form or another, the government has a special relationship with virtually every member of the Ontario work force. We have undertaken to ensure equitable application of the anti-inflation guidelines without any sacrifice of our constitutional responsibilities or jurisdiction.

**Mr. Bullbrook:** What about the Crown Employees Collective Bargaining Act? That is not a special relationship. That is a statute.

**Hon. Mr. McKeough:** I say this to my friend, I'm not a lawyer.

**Mr. Bullbrook:** Don't you understand? That is a statute, not a special relationship at all.

**Hon. Mr. McKeough:** But the Crown Employees Collective Bargaining Act doesn't say to me that I treat somebody on the line at General Motors or at Dow Chemical differently than I treat somebody in the provincial public sector.

**Mr. Bullbrook:** There is an Act, there is a statute on the books.

**Mr. Deputy Speaker:** Order, please. The hon. member for Sarnia does not have the floor.

**Mr. Bullbrook:** Yes, that is right, I don't. I will have it tomorrow though.

**Hon. Mr. McKeough:** My friend is a lawyer and if he wants to clothe special relationships with his friends under some legal—

**Mr. Bullbrook:** Statutory relationships.

**Hon. Mr. McKeough:** Statutory, my foot. You wanted to cosy up to the teachers and



you know that is what you wanted to do, and you call that special relationships. Over here we are proud to say we have the same relationship with every member of the work force in this province and we don't walk away from that.

**Mr. Bullbrook:** You be here tomorrow and I will tell you about special relationships.

**Hon. Mr. McKeough:** You go out and tell—I say to my friend from Sarnia —

**Mr. Bullbrook:** Don't you know what the Act says?

**Hon. Mr. McKeough:** Sit down. Sit down! Who has the floor, Mr. Speaker?

**Mr. Bullbrook:** You have to make me sit down.

**Hon. Mr. McKeough:** I say to my friend from Sarnia —

**Mr. Deputy Speaker:** Will the hon. member for Sarnia take his seat?

**Hon. Mr. McKeough:** I say to my friend from Sarnia, you go out and tell the people at Dow, you tell the people at Polysar that you don't have any relationship with them—just a special relationship with the employees of the Lambton Board of Education. You tell that to the people at Dow and Holmes Foundry.

**Mr. Bullbrook:** You don't know what you are talking about. Read your text.

**Hon. Mr. McKeough:** Tell them that you have a legal relationship—

**Mr. Deputy Speaker:** It may be helpful if the Treasurer addresses his remarks through the Chair.

**Mr. Bullbrook:** Stick with your text.

**Hon. Mr. McKeough:** Yes, certainly. I was being interrupted but I wasn't being thrown off the point. Your special relationship is so much nonsense and you know it.

**Mr. S. Smith:** I like your comment "Statutory, my foot," because that is what you think of the law.

**Mr. Bullbrook:** You should not ad lib.

**Hon. Mr. McKeough:** Oh, yes I should, I should.

**Mr. Bullbrook:** Stick with your text.

**Hon. Mr. McKeough:** I say to my friend, he shouldn't interject because he gets bested every time when he is on the weak position

that he is on today and it will be weaker tomorrow.

**Mr. Bullbrook:** You be here tomorrow.

**Hon. Mr. McKeough:** It will be weaker tomorrow. You really should leave all the speaking either to your leader or the member for Wilson Heights, because they both do much better than you, and that is saying something, that really is.

**Mr. Bullbrook:** I can't deny that.

**Mr. Cunningham:** What is that— 9-to-0?

**Hon. Mr. McKeough:** Mr. Speaker, we opted for federal administration of the programme, and as I recall it the majority of the members of the Legislature last December showed their confidence in the government in that decision by voting on that occasion.

**Mr. S. Smith:** That's right.

**Mr. Breithaupt:** The NDP did.

**Mr. S. Smith:** The other lovers of big government also joined with you.

Interjections.

**Hon. Mr. McKeough:** Mr. Speaker, I believe we have followed the wisest course. Certainly we have been spared the disparities and the inequities which would inevitably have arisen. Ontario's teachers and civil servants are being treated in the same way as those in our manufacturing plants, in our mines, in our mills. Moreover, I think we have saved ourselves from a massive bureaucratic nightmare. At last count, the AIB staffing is close to 900, but Ontario decided to go it alone in administering the regulations with respect to its public sector.

**Mr. Roy:** The court doesn't think so.

**Mr. Peterson:** You can put them on contract.

**Mr. Shore:** Rent review has 600.

**Hon. Mr. McKeough:** I would think that at least 300 positions in a provincial board would have been required; 300 positions I would guess at \$10 million. That's peanuts over there, but it means something to us on this side of the House.

**Mr. Breithaupt:** Put them on contract.

**Hon. Mr. McKeough:** Yes, "What's \$10 million? What's \$10 million?" That's his line.

**Mr. Shore:** What is \$15 million?

**Hon. Mr. McKeough:** Some mention has been made—

**Mr. Breithaupt:** That's about five days' interest on your debt.

**Mr. S. Smith:** Your debt has been the main reason for inflation.

**Mr. Deputy Speaker:** Order, please. This is a very important debate and those who have spoken before, I have tried to give a good hearing. I think you should pay the same courtesy to the provincial Treasurer.

**Mr. Reid:** He is being provocative, Mr. Speaker.

**Mr. Breithaupt:** He'll take three days by the time he is finished.

**Hon. Mr. McKeough:** Thank you, Mr. Speaker.

**An hon. member:** Be courteous.

**Mr. Shore:** It cost \$13 million for rent control.

**Hon. Mr. McKeough:** Some mention was made that delay would have been avoided. There is no question, there has been delay in decisions by the AIB. We are told that the backlog now, by and large, has been cleaned up and that they expect to give either affirmative decisions or be in a position to require more information, they would hope, within the next month on a two- or three-week basis. They have caught up, and the administration of it, I think, is generally in hand.

As I say, there is no reason to think that we wouldn't have encountered the same delays, the same bureaucratic problems of starting up a board and an administration that large, with, as I say, I suppose 300 people and I would guess something around the neighbourhood of \$10 million a year.

I tabled for the information of the members a report prepared by my staff last month which documented the first six months under the anti-inflation programme. At that time I indicated that we were encouraged by the early signs. While there is a way to go before it becomes fully effective, I was confident that we were going to be able to lick the inflationary problem that has encompassed us.

Since that time the hopeful signs have continued. With the release—and mention has been made of this today—of the consumer price index for June, we have had seven consecutive months in which the year-to-year increase was less than 10 per cent. On the wage side, I have said and I say again that

the news has not been so encouraging. Wage settlements in the first quarter of this year showed no significant moderation in yearly gains. This reflected in large measure I am sure in the flow-through of a number of particularly high settlements necessitated by the elements of fair play in the AIB regulations. I understand that more recently the board has begun to apply more stringently the arithmetic guidelines set forth and I would expect therefore to see wage settlement data reflecting the moderation.

The impact that excessive demands on the Canadian economy are having on our competitive position in international markets continues to be a matter of considerable concern. I would hope to see a moderation in wage demands following in tandem with the slowing of general price inflation, which would not then imply any sacrifice of real income from our work force, but wage increases in the order of 13 to 14 per cent annually, with inflation running at a six or eight per cent annual rate, is simply not compatible with the current productivity performance of this country and the goal of stabilizing our prices.

Finally, I want to reiterate the view that it would be inconceivable now, as it was nine months ago, to consider a separate board dealing with the provincial public sector. We undertook then to make this programme work in Ontario with only a small dose of bureaucracy but with a large dose of effectiveness. We were concerned that everyone in the province be treated fairly and equitably, both by the guidelines and in their administration and enforcement. We were concerned that this programme deal effectively with a problem of national magnitude and I believe that the evidence shows that these things have been accomplished with minimum cost to Ontario and to its citizens.

Therefore we ask both parties for their support. We think this fight against inflation has to be won. I have listened—I will listen—to hear what alternatives our friends in the socialist party would put forward. As I have indicated, two people have spoken and neither one of them, in my view, has put forward any kind of an alternative.

I just don't think they can go out—and I say this in sincerity—as a responsible party, which they like to think they are, and say to the people of Ontario: "We are going to vote against this bill. We don't want controls. We don't want them retroactively. We are just going to say to the people in the public sector—teachers, the civil servants, all the people who have been brought under the



ambit—that they have some sort of special place and we will forget about controls on teachers.”

We will continue, because the federal court clearly has said, 7-2 I am told, that under the Act of the federal government the workers of General Motors and the Dows and the Holmes Foundry and the chartered banks are under control. How those members can sit there and say as a responsible opposition—and I like to think that in this Legislature we have responsible opposition—that they are going to vote against this bill and make friends with their friends in CUPE and their friends in the teachers' group by saying, “We are just going to let you go free and we hope that you will be moderate in your demands,” I don't know. If that's responsible opposition, then I say to my leader let's go to the people and ask them and let's do it soon.

**Mr. Bounsall:** Mr. Speaker, I say to the Treasurer of Ontario that if he wishes to hear part of our policy as to what we would expect in the way of a replacement to what is before us in this bill, he will have to exercise some unusual patience and sit around the House for a while, because it will come in due course.

**Hon. Mr. Davis:** We've listened for the last several months and haven't heard anything yet.

[5:15]

**Mr. Ferrier:** Not in the last nine months.

**Mr. Bounsall:** There are so many interested speakers in our party on this bill that we have divided up the areas; and the Treasurer may just have to be a little patient as to what we would expect in terms of an anti-inflation programme.

**Hon. Mr. McKeough:** I was prepared to be persuaded to vote against the bill.

**Mr. Bounsall:** You just might have to sit here for a day-and-a-half and be a little patient; we might be able to persuade you.

(Interjection.)

**Mr. Bounsall:** Mr. Speaker, as I sat digesting my Thanksgiving dinner Thanksgiving last—

**Hon. Mr. Davis:** At least you had yours at home; some of us were elsewhere.

**Mr. Bounsall:** Yes, I must admit I was mildly shocked to—

**Mr. Ferrier:** Didn't Pierre put up a good meal?

**Mr. Bounsall:** I was mildly shocked to hear the Prime Minister of Canada come on the television and indicate that in such a short time, in less than 15 months, he had changed his position. It went in 15 months from a shrug about not being able to do anything about inflation in this country, because it was all imported anyway, to the fact that with continued Liberal rule the country was in an economic mess. I was rather surprised—

**Hon. Mr. Davis:** It was easier for some of us to adjust to that.

**Mr. Bounsall:** —that they would admit it so publicly that the Liberal economic policies had made such a mess out of this country. That was the surprise part. It was not so much that he would flip-flop in a period of 15 months, because we're used to flip-flops in this House from that party occurring a little more often than that.

I was rather interested in what was going to happen, because our party is not a party that disbelieves, per se, in controls. In fact, one might say of our party that we wouldn't mind, in many instances, a little government inspection and perhaps some interference from time to time in the economic life of our country in order that it work to the best interests of the people of the country of Canada, or the Province of Ontario. I'm not at all opposed, per se, to price and wage controls. I was interested to see how it was going to work, and sat down to avidly read the paper over the next few days as to how it was going to work.

My next-door neighbour bounded over to my house the next day, a Mr. George Horobin [See Hansard No. 97] and said, “Hey, look, I bought some screws and some sandpaper last weekend.” He had spent the whole Thanksgiving weekend doing some home repairs and he ran out of both items. He went down to the nearest Canadian Tire store and bought the equivalent two commodities. The sandpaper, between Tuesday and the previous Friday, had increased by 42 per cent; and the screws had increased by 54 per cent. And he said, “Look, what are you going to do about it? We've now got a wage and price control board in Canada, I drop it in your lap.” In all good sincerity I sat down at my tape recorder and dictated a letter to the Anti-Inflation Board.

**Hon. Mr. Davis:** Why didn't you lend him some of your own sandpaper?

**Mr. Bounsall:** I get about as much time to do home repairs as you do. When did you last do any sandpapering?

**Mr. Foulds:** Don't ask him about the other commodity.

**Hon. Mr. Davis:** I said sandpaper.

**Mr. Bounsall:** So, I put it on tape. But before the tape got down to Toronto and that letter typed, there was a pronouncement from the Anti-Inflation Board which said: "We're not going to deal with prices unless there's a huge, general outcry from a particular area; and we're not going to deal with the little stuff." So, I took that clipping over to George Horobin, and I said: "Look I've got a letter ready to go, but why the heck bother sending it?" That was the response of the AIB and he agreed that I needn't bother to keep my eye on prices from there on in. But I kept my eye on the situation and I've not seen any prices of small commodities even attempted to be rolled back or even looked at by this federal Anti-Inflation Board.

**Mr. Peterson:** You can be critic in charge of the number of screws.

**Mr. Bounsall:** The next week, maybe seven or eight days later, I dropped into—

**Mr. Peterson:** What did you do in the meantime?

**Mr. Bounsall:** —my local gas station, which does all my repairs. A person by the name of Ron Carr, a good man, comes charging out and he says: "What are you going to do about this Anti-Inflation Board and all these price increases?" He had prepared, for the next time they came in, the increases in the price of brake drums that had occurred over the past two years. He said: "I've got the steel prices." He had done some work. He had comparable increases in steel prices. He had comparable increases in the price of brake drum components. There was something like a 142 per cent anomaly between the two. He said they had just gone up another \$23 for a standard set for—I forget what it was now—a General Motors Chevrolet car in the last two days. And he said: "Is this the type of price control we are going to be getting in Canada?"

By that time I was able to quote him what had appeared in the paper about these small component increases. He said: "What am I supposed to do? I can't do anything else but pass on this price increase to my customers, but if they are feeling there's been some price

control in this country they sure aren't going to be able to judge it from my bill, and I've got no control over the price of brake drums." I said that I would also try to keep my eye on that situation. That might be even a slightly bigger component than screws and sandpaper and maybe the Anti-Inflation Board might be interested in the price increases of car components and brake drum components.

I made the mistake of going to church the Sunday following that. This is now 13 days after the pronouncement.

**Mr. Peterson:** What did you do in the meantime? Don't leave those days out.

**Mr. Bounsall:** What did I find? I found myself confronted with an electrical contractor who was just furious. He said: "Look, everything has gone up about 40 per cent."

**Mr. Peterson:** In church? Come on!

**Mr. Bounsall:** After the service, not in the middle of it—we Anglicans do have a little decorum—he confronted me with the price increases.

**Mr. Peterson:** That is a relief.

**Mr. Sweeney:** Did you increase your contribution?

**Hon. Mr. Davis:** What did you say? I didn't hear that.

**Mr. Riddell:** What is the price of those screws today?

**Mr. Bounsall:** Even high churchmen, like the member for Riverdale, have even more deportment.

**Mr. Renwick:** And my friend, the government House leader.

**Hon. Mr. Davis:** And the Treasurer.

**Mr. Bounsall:** In any event, the electrical contractor grabbed me right after the service, again in some agitation.

**Mr. Sweeney:** Where we?

**Mr. Bounsall:** He said: "Have you any idea how the prices of electrical components have gone up to since Thanksgiving? Because that is such an indirect charge to persons and as this is going to end up in my bill, is there going to be any investigation of that?" I said: "Well, I guess that is another thing I'm going to keep my eye on." And I told him the story of the brake drums. Before I got to my car, a plumbing contractor —

**Mr. Peterson:** Did you take long to tell him?



**Mr. Bounsall:** — had contacted me on the same matter. As far as I can determine, there has been no attempt whatsoever on the part of the federal government with the programme it has to do anything about this control of that kind of price increase. When this Legislature asks us to put a group of workers under a wage and price control system that works in that manner, then I tell you give us a system that has a decent workable component of price control and we're not going to be that complaining about putting workers under wage controls.

**Mr. Riddell:** You never bought beef cheaper than you are buying it today.

**Mr. Bounsall:** But they had better go hand-in-hand and the price control had not only better come first but be seen to come first. That's the basis for our agreement. We're opposed to this particular federal Liberal government wage and price control system as we have seen it operating and we're opposed to the provincial government being any part of it. We will not vote for any legislation that opts Ontario more into a programme which we feel is not working whatsoever. We will oppose that and for those reasons, because we have direct wage control under that programme and, at best, indirect and usually no price control at all. That is a system we do not believe in. That is the type of control it appears that the Tories and the Liberals like but it is not what the NDP likes and we will oppose it right down the line.

I took a survey in the last questionnaire I sent out to my riding last March in which I asked: "What aspects of the federal price and wage control programme do you like" I was very careful to word the question so I wasn't leading anybody—" (a) wage control only, (b) price control only, (c) both, (d) neither?" Only one per cent, not surprisingly—one per cent— wanted wage control only, 25 per cent wanted price control only—and usually they didn't write any comments on the questionnaires they sent back—19 per cent didn't want either—I would assume those were, by and large, the laissez-faire advocates who didn't believe in any kind of government intervention—but 55 per cent said they wanted both.

You should have seen what they did to that questionnaire. They wrote all over every conceivable free space on it. Some of them sent me letters back in saying, "We want both, not just wage control." That was the tenor of their remarks, and they went on to enumerate the areas of price control which they wanted to see. They were saying, "Both. but what's happening in the prices? These were the ones most commonly mentioned—

and I checked my questionnaire sheet upstairs before this debate. They said, "What about the price of land and housing? What's being done about that? What about the mortgage rates and their increases? Is anything being done to roll those back. What about energy prices in all forms?" They heard rumours of Hydro rate increases, and they had just had gasoline rate increases and rumours of more in the future. Many of them said they wanted both and asked if there would be increases in connection with the cost of living in things like old age pensions. That's the type of comments I got back from those who wanted both.

The member for Windsor-Riverside (Mr. Burr) sent out an identical question on his questionnaire. He got a somewhat larger number of replies, and if I recall the statistics, they didn't vary any more than one or two per cent in his replies from what my figures are. There is a great feeling out there of people who do not want wage controls, but an even greater feeling of those who would accept those, as we would in this party, provided there was some valid price control, and they could see and feel in these major areas some price control in the economy.

Just to leave that for a minute, I was quite interested in the last couple of days in some articles that appeared in the *Globe and Mail*. On July 9 an article by Wayne Cheveldayoff—

**Ms. Gigantes:** Cheveldayoff.

**Mr. Bounsall:** Thank you. I was going to say I hoped I wasn't mispronouncing it, but I am glad to have a fellow colleague from a riding which is more francophone than mine to be able to correct my pronunciation.

**Mr. Peterson:** That is not a French name, you turkey.

**Mr. Bounsall:** It's not? Well, it starts off that way. I just don't know how to put the Hungarian endings on the end properly.

**Mr. Peterson:** That is your whole problem right there.

**Mr. Bounsall:** He is obviously a bilingual person, the member for Windsor-Riverside tells me. The article is labelled, "Unit labour costs" and it is a survey of how much labour costs went up in all of the western democracies. And, lo and behold, in 1975—a year during two-thirds of which we had no wage restrictions in this country, and since Thanksgiving the wage restrictions were too new to really be effective—Canada shows to have the



lowest wage increase in all of the western countries that were surveyed.

The smallest gain in unit labour costs was 9.5 per cent for Canada; the United States was 11.1; Japan 16.9; France, 38.3; West Germany, 13.7; Italy, 32.8; Sweden, 27.7; and Britain, 21.8. So one kind of wonders about the need for wage control when in 1975, in the year in which this programme was initiated but did not really get rolling, Canada had the lowest rate of the western countries that were surveyed. And again, by the same gentleman on July 13, in an article on the business page entitled, "Economic Report," talking about inflation:

[5:30]

"The recent downturn in the inflation rate to just under nine per cent has resulted from mainly a reduction in food prices at the farm gate," a commodity which is not under the federal wage and price control programme, "weakness in world prices for commodities," again something which is not being controlled by the federal wage and price control board "and the four per cent upward revaluation of the Canadian dollar which reduced import prices," again a matter not under control of the federal wage and price control board—this is what has resulted in our lower inflation; not, therefore, any action by the federal wage and price control board. It makes you wonder why we have it, doesn't it?

The industrial commodity prices, however, if you look at the industrial commodity prices, have turned upward again and are showing year-over-year gains of 30 and 40 per cent in many cases. That's how effective the price control component of the federal wage and price programme is, in fact, on manufacturers' industrial prices in this country.

**Mr. Renwick:** That is where the inflation starts.

**Mr. Bounsall:** Then it goes on and says:

Furthermore, there will be few further declines in food prices. Energy prices will continue to increase sharply and import prices will rise as the Canadian dollar drifts downward again from its now artificially high level of more than \$1.03 US.

So the recent downturn in any inflationary pressure has all come in areas in which the wage and price control board has had no effect. The one area which is completely identified as steadily increasing is the area in which they do have some effect. That comes as no surprise to me, because I have seen no real attempt, directly or indirectly, to reduce

prices through that Anti-Inflation Board. I'm not filled with confidence when, a couple of months ago, it was stated, when the board was queried as to what efforts it was making and what results could be pointed to in terms of decreasing prices: "Certainly it's working; we managed to have one particular hotel, in Toronto I believe it was, delay a price increase by one month." That really fills you with confidence in terms of controlling prices through what that board is doing.

Therefore, it should be clearly understandable why we have no interest in participating in that kind of a wage and price control programme. This government is to be condemned for the particular bill it has in front of us, which places large groups of loyal, hard-working public servants in triple jeopardy.

I refer, of course, to all those groups of public servants already under compulsory arbitration by legislative action of this Legislature. I refer to the 50,000-plus Crown employees in the Province of Ontario, including the employees of boards and commissions, who have to operate under the Crown Employees Collective Bargaining Act. I refer to the hospital workers under the Hospital Disputes Arbitration Act. I refer to the Ontario Provincial Police and the municipal police under compulsory arbitration under the Police Act. And I refer to the firefighters who, partially to avoid having compulsory arbitration placed on them legislatively by this Legislature, some years ago stated they would accept voluntary arbitration in each and every case where they hadn't reached agreement, and because that has become the pattern, it is almost as if the legislation had been written for them, placing them in just as disadvantageous a position as the other groups of workers I have mentioned.

First of all, the government takes away their right to strike by making them go to compulsory arbitration. They take away their right to strike without any counterbalancing compensation. It's as if former Chief Justice McRuer, in his compendium on civil rights, had not written that section dealing with the right to strike, in which he said there may be some groups of workers who shouldn't have the right to strike, but when you pass that legislation taking that right away you build in some really compensatory clauses for them to make up for that denial of that right. You take away that right to strike and you don't give them any compensating counterbalancing effects in legislation.

You take away the right to strike and give no compensation for the loss of that right.



You then say, "Okay, if you can't settle you've got to go to compulsory arbitration." And over the years, the decisions and comparisons made by those arbitrators clearly caused the workers involved, particularly hospital workers and the employees of the Liquor Control Board and the Liquor Licence Board, to fall steadily behind, year by year, their comparable workers.

At one point just two years ago last May the hospital workers in the Toronto area, denied the right to strike, almost took an illegal strike. Why? Because over the years the compulsory arbitration had placed them so far behind that when, for example, you compared a custodial worker in the hospitals in Ontario with a custodial worker in our school boards in Ontario the hospital worker was 40 per cent behind.

That's what compulsory arbitration decisions did to that group of workers. In order to win some partial recovery—and by no means was it full—they almost had to defy the law of the Province of Ontario to so do. And they are still not caught up. As well, at this very moment Liquor Control Board employees in Ontario and Liquor Licence Board employees are \$3,000 behind the comparable Brewer's Retail workers, who have the right to strike.

If their latest arbitration award gets implemented, if this bill passes, and the Ontario government supports it before the AIB, they might only be \$2,000 behind the comparable workers in the Brewers' Retail situation. That's what compulsory arbitration does.

So you take away the right to strike; you send them to compulsory arbitration; that's the kind of attitude which results. Now you say, having received a settlement from an arbitrator—certainly not known over the years to be a generous settlement—through this bill you are now going to send them to the federal Anti-Inflation Board, which knows nothing about the working conditions and jobs of hospital workers, liquor store employees, firefighters, municipal police, or the comparability of those workers with other people in the Ontario economy.

I don't know how the government can treat people this way. If it didn't know the persons involved, or didn't understand their job it would be different, but these are the government's own workers of which it is rightfully proud. These are its own civil servants it is treating this way, of which it is rightfully very proud. Both the Premier and the Minister of Education rightfully uphold the teachers in Ontario as they do the whole system of education in Ontario. The

LCBO employees in many areas of the province are—or were—the government's very close friends. If it treats its friends this way, thank heavens the government is not in a position to deal with other groups any more than it has.

**Hon. Mr. Davis:** I see. In other words the opposition treats its friends differently from the rest of the people. That doesn't surprise me a bit.

**Mr. Ferrier:** You are treating some of your friends as enemies, Bill.

**Mr. Bounsall:** No, I am just glad that there aren't any more of these very groups that the government has created and of which it is so rightfully proud.

**Hon. Mr. Davis:** I see, that was a slip. That was a slip.

**Mr. Bounsall:** Because these are its friends and this is how it chooses to treat the people, its employees, of which it is so rightfully proud.

**Hon. Mr. Davis:** We try to treat everybody equally.

**Mr. Bounsall:** Well, the government has done a good job for its friends over the years and made sure they have been behind.

**Mr. Renwick:** Hear, hear. You know that.

**Mr. Bounsall:** And what about those teacher groups under Bill 100, which was so very carefully set up and debated for months in this Legislature and in committee, which either went voluntarily to arbitration under Bill 100 or which this Legislature forced to compulsory arbitration?

**Hon. Mr. Davis:** Oh, yes, the teachers. Do you remember being in my office when you were so sympathetic to those parents?

**Mr. Ferrier:** The AIB has more power than this Legislature.

**Mr. Bounsall:** The government wants to take that whole careful process to the AIB. It was your careful choice and you agonized—maybe not the Premier but the minister—over the choice of the arbitrary affair of those settlements. They look at the whole system. They presumably are used to and understand some part of education in Ontario. They come down with an arbitration settlement and the government says take it all to the Anti-Inflation Board as if someone up there knows anything about education in Ontario. Is the Premier happy with that situation? Well, we certainly wouldn't be.

I just might say that the Liberal leader made some remarks—in fact, a rather direct attack on the OSSTF and the Toronto teachers—by mentioning that it was 39 per cent which went to the Anti-Inflation Board. As usual, maybe he should remind himself that the 39 per cent was the board's figure which the arbitrator found to be an inflated figure and not a true amount as it related to the board's expenditures and cost of that settlement. Also, the AIB allows for some comparability. The Toronto teachers, who were so directly affected by that two-year level increase awarded by the arbitrator, now happen to stand 45th amongst secondary teacher groups in salaries and benefits in the Province of Ontario. The government didn't say that. That was said over here, but he should understand a little bit more about whom he's attacking and what the facts are before such a blatant attack occurs on a group that stands 45th in the Province of Ontario as it now turns out.

It is rather interesting in terms of arbitrated decisions. The Liquor Control Board employees have gone through this whole process. They've got an arbitrated settlement and they are hoping, as this perhaps is being sent to the Anti-Inflation Board, that they might get the support of the chairman of the Liquor Control Board of Ontario or the lawyers that work on their behalf.

A letter of June 30, 1976 from the lawyers acting on behalf of the board to the arbitrator from Dispute Settlement Services Ltd. made it very clear. They acknowledged first the receipt of the letter purporting to give effect to the agreement pursuant to section 12 of CECBA. The letter said:

We would ask your board to consider its position on the grounds that the agreement submitted by you for execution is void ab initio under the governing law, namely, the anti-inflation legislation and regulations passed thereunder since the compensation provided is in excess of the maximum allowable under the findings of the Anti-Inflation Board in its letter of April 23, 1976. As a result, the boards have no legal right to enter into the form of agreement submitted.

The Liquor Control Board through its lawyers, is saying "We're not going to enter into that agreement which you as the arbitrator sent in. Would we go before the Anti-Inflation Board on your behalf? Not at all."

Contrast that attitude on behalf of the lawyers that work for the Liquor Control Board in Ontario with what happened in Manitoba. J. Frank Syms, chairman of the

Manitoba Liquor Control Commission, sent a telegram to Jean-Luc Pepin protesting against the Anti-Inflation Board's rollback of a wage settlement with commission employees.

The AIB ruling rolled back the salary increases to 12 per cent from 23 per cent. Mr. Syms said:

We are hereby appealing to your well known sense of fairness for personal intervention and review of the reported AIB recommendations whose implementation would result in a grossly unfair effect on all personnel within our agreements. The rollback would mean liquor store clerks would be paid \$1,500 less per year than their counterparts in Saskatchewan.

Does the Liquor Control Board of Ontario send off a telegram in that regard or does it support the wage increase offered? No, the chairman refuses to go with them and the board is refusing to implement the report.

There is the contrast in chairmen when it can be shown, even with the full report completely implemented, they are \$2,000 behind the comparable brewery store workers in the Province of Ontario. That's the kind of thing about the government's treatment of its employees which we find highly distasteful.

Mr. Riddell: What time?

[5:45]

Mr. Bounsall: In mid-June—just very shortly. In mid-June I asked the Chairman of Management Board of Cabinet (Mr. Auld), as the first of the settlements involving the different groups within the Ontario public service employees' union came forward, if he was going to go before the Anti-Inflation Board—if, in fact, that Anti-Inflation Board still existed at that point—to argue on behalf of the increase granted by the arbitrator to a group of workers who had demonstratively fallen behind the private sector in the last three or four years.

The answer at that time was very typical of the member for Leeds. They weren't too sure what he said, but it wasn't much of anything—it may have been yes, it may have been no. I don't think he even clearly said he was going to consider it.

I checked with representatives of the Ontario public service employees' union regarding a form that one must fill out. You check off a box, yes or no, as to whether you are going to appear on their behalf. And the Chairman of Management Board of Cabinet, the member for Leeds, had signed it and checked off the "no" box. Now, that is



really supportive of an arbitrated decision involving public servants in the Province of Ontario—in sharp contrast to what takes place in other provinces. This government should not be at all proud of that kind of performance by its ministers of the Crown who have to deal with our very loyal and hard-working Crown employees in this province.

Mr. Speaker, in conclusion, I would say that there may be some tendency, in looking at this bill, to perhaps amend the bill to make the bill not retroactive, but to start it perhaps on the date that this bill is passed. Because there is a concept in here as to how you can make it retroactive, when that whole retroactive period was ruled to be unconstitutional by the actions in which the government treated that whole period. So, I think there is a fair argument to be made on constitutional grounds as to it not being made retroactive. But that would, in my opinion, given undue credence to the bill over what it should have in terms of our strict opposition to the bill.

There are persons who would argue that a provincial board in Ontario should deal with its own civil servants, but in terms of what we see in the Liquor Control Board and the Chairman of Management Board, this would not be a better board for provincial employees. I would certainly hesitate in setting up of a board reporting, as it must, either through that very well known economic guru, the member for Leeds, or more likely through that soul of sympathy and understanding, the "Duke of Chatham." I certainly find that no palatable or acceptable alternative to sending wage settlements to the federal Anti-Inflation Board, which controls wages and doesn't even support price controls. I will not vote for any bill that treats persons in the Province of Ontario, no matter who they are or how big or how small the group, in the manner we have seen people treated under that board.

Mr. Roy: I am rather enjoying this debate. I have sat here and listened to all the speeches—all the participation by the various members on all sides.

I must say to you, Mr. Speaker, it is unfortunate that we can't have more debates like this and that we are caught up in other activities. As you know, most of us, including the Premier (Mr. Davis), the Leader of the Opposition (Mr. Lewis), and my own leader, were on holidays. Since there is nothing else to do anyway, we might as well spend it in this place. It gives the whole chamber a certain aura of participation in which—

Mr. Breithaupt: It is almost a debate.

Mr. Roy: Yes, it is almost a debate. I must say that the member for Chatham-Kent (Mr. McKeough) would be more interesting if he just stayed away from his notes. He starts to banter for four or five minutes and then gets his nose into his notes and then does not participate in the debate. I appreciate, Mr. Speaker, that it makes your job somewhat difficult because there are exchanges going back and forth, but I must tell you, I think it's enjoyable and I appreciate having some 10 minutes to participate in the debate and state our position very clearly, and possibly be somewhat repetitious of members who have gone ahead of me.

I must say that I have learned certain things. For instance, the member for York Mills (B. Stephenson), who participated somewhat earlier, mentioned the fact that there was some attempt apparently by the government to get some feel as to where things were going last fall, and whether they should bring in legislation in this House.

Mr. Lewis: She used some unfortunate words.

Mr. Roy: Yes, she did, and of course I don't intend to repeat it, basically because I don't think I could say it right, and because the member for Wilson Heights (Mr. Singer) has said it often enough, so I shall not repeat it. But I do want to say this, having looked at the whole approach of the government and at the legal advice given by the Attorney General (Mr. McMurtry), he should get a slap on the wrist for having given bad advice, not only on this but also in the hospital situation, and he didn't do too well on hockey violence either, actually.

Interjections.

Mr. Roy: He is just starting on that but the jury has other ideas. I say he runs into trouble when he faces juries and judges, and that's not saying very much for the chief law officer for the Crown.

Mr. Nixon: It is just for the press gallery that he is able.

Mr. Roy: Yes, that's right. I intend to talk about that if I get an opportunity later on. But I was wondering, Mr. Speaker, if the Premier reprimanded the Attorney General for the bad advice he received on it, and maybe he reprimanded him for his performance up at the Supreme Court of Canada, because I heard from some of my colleagues—

**Hon. Mr. McMurtry:** On a point of privilege, Mr. Speaker, I think that in fairness to the Attorney General it should be pointed out again to the House that in the Supreme Court, on the first question that I argued on behalf of this province, the score was seven to two, and I think the justice critic of the Liberal Party, my friend, the hon. member for Ottawa East, should stick to his facts when he is talking about my performance.

**Mr. Roy:** Mr. Speaker, I find this extremely enjoyable, because I would give more of the credit for that to J. J. Robinette than to Roy McMurtry. With great respect, on the argument where the Attorney General had to carry the burden the result was 9-0. It is seldom that we can get the Supreme Court of Canada 9-0.

**Mr. Shore:** Roy, don't worry about it. You can't win them all.

**Mr. Roy:** So I thought he would be reprimanded for sure by the Premier, then I heard the Treasurer and the member for York Mills talk about what had gone on, and I sympathize with you, because what happened is this, the government, the Treasurer, took a position and said, "This is what we are going to do, and now, Roy, you go out and justify it legally."

**Mr. Nixon:** That's what happened.

**Mr. Roy:** That's what happened and surely he should admit that. I have more sympathy if he will admit that, rather than giving him legal advice ahead of time that he should operate in that fashion. That's exactly what the Minister of Labour said. The member for York Mills mentioned that they felt the current, where they were going in all of this.

**Hon. B. Stephenson:** No, I didn't say that. You have marvellous pipe dreams.

**Mr. Roy:** Surreptitiously.

**Hon. Mr. Davis:** What is it again?

**Mr. Roy:** Surreptitiously, that's the word. It's sort of a group intercommunication.

Interjections.

**Mr. Roy:** And I can't even give the French translation. I can't say this in French at all, but the fact remains, Mr. Speaker, that I think that's exactly what happened. They took that position and the Treasurer said, "Let's not quibble with the constitution and things like this. We are taking that position and, Attorney General, chief law officer of the Crown, you justify that." In the light of

that, I just wonder why he went up there and pleaded that case himself. He must really be after headlines. It is only a propensity for headlines I think that drove him to that.

**Mr. Peterson:** It's restraint. He is the cheapest lawyer in town.

**Mr. Roy:** And if he has learned nothing else as Attorney General he should have learned that he should accept legal advice from this side.

**Mr. Foulds:** Does Eddie Sargent accept legal advice from that side?

**Mr. Roy:** In fairness I must say this again, Mr. Speaker; the member for Sarnia (Mr. Bullbrook) did not get his due credit on this. He's the one who first raised that problem. He raised it; and then the member for Riverdale (Mr. Renwick), and I don't want to take anything away, sort of looked at the situation and it was sort of a trigger mechanism in the member for Riverdale's head. He said he raised it. The member for Sarnia raised it.

**Mr. Lewis:** Jim Renwick mentioned it as Trudeau was speaking.

**Mr. Roy:** He didn't get his full credit. I want to underline that and get that on the record. It was the member for Sarnia who first brought this issue to light, and he should get full marks for this.

**Mr. Foulds:** And today you are repudiating him with your vote to support the government.

**Mr. Roy:** We told you—you know how we pleaded with you last fall—we said bring it before the House. You wouldn't listen to us.

**Hon. Mr. McMurtry:** You wanted the board for your teachers, and they spurned you.

**Mr. Roy:** We wanted you to bring this before the House, you wouldn't listen to us.

**Mr. Nixon:** Our teachers?

**Mr. Roy:** How often did we tell you to bring this before the House?

Interjections.

**Mr. Speaker:** Order, please. The member for Ottawa East only.

**Mr. Ruston:** The Attorney General better resign, he had better resign.

**Hon. Mr. McMurtry:** Hell hath no fury like a spurned Liberal leader.



**Mr. Lewis:** They spurned you from great heights.

**Mr. Peterson:** Very little accuracy and not very much results.

**Mr. Roy:** At the rate I'm going, the only issue I'll be able to deal with is the Attorney General, and I've only got a few minutes.

We told you. Didn't we tell you? There's no politics in "I told you so".

**Mr. Nixon:** We told you.

**Mr. Roy:** If there was politics in "I told you so", Robert Stanfield probably would have been in power. We would have been in power right here.

**Mr. Nixon:** And will be yet.

**Mr. Roy:** But let me say it again, we told the Attorney General that he was wrong. He didn't want to listen to us so he went, as they call it in law, on a frolic of his own. He went up there and argued the case. But I think when I lost a certain amount of respect for him was when he did not admit that he had made a mistake. The first opportunity was when I saw on television the Premier and the Attorney General saying: "The feds are in this with us too."

**Mr. Nixon:** They both looked rather pallid on that show.

**Mr. Roy:** On the bulletin board at the press gallery they quoted the last line of the decision, and I just want to read it to you, Mr. Speaker, I think it's worth it. They said: "In my opinion, the agreement made between the government of Canada and the government of Ontario, pursuant to section 43, does not have the effect claimed for it by the Attorney General of Canada and the Attorney General of Ontario."

**Mr. Breithaupt:** Which was underlined.

**Mr. Roy:** They underlined the whole paragraph; and the Attorney General of Canada had two lines.

**Hon. Mr. Davis:** I didn't even have that at the press conference.

**Mr. Roy:** It was up there in the press gallery on the bulletin board. The Attorney General should have admitted his mistake, because the Supreme Court when it began the decision, said very clearly that the government of Canada had legislative authority. Let me read the first part of the decision, where it says: "No question arises as to the propriety of the execution and binding effect of the agreement so far as the government of Canada is concerned."

They had legislative authority, Ontario did not; that's why it was 9-0 against the Attorney General. Why didn't he admit his mistake?

I could see his problem in admitting a mistake on hockey violence, on pornography, and maybe he didn't take quite the right approach on hospitals; but on this, nine-zip; he should have admitted his mistake. He really should have admitted his mistake.

So I want to say, Mr. Speaker, in closing, because I want my colleagues to participate—

**Hon. Mr. Taylor:** Take your time, you are going great—disaster.

**Mr. Roy:** —I want to say this: We are taking it this time. The alternatives are very simple; an election, economic chaos across the whole province during the election period—

**Mr. Warner:** You are doing fine.

**Mr. Roy:** You fellows are the same. I had a whole bunch of pages here about what I was going to say about the NDP; should I do it after supper?

Interjections.

**Mr. Roy:** Mr. Speaker, I am being prevailed upon. Can I adjourned the debate, Mr. Speaker?

**Mr. Eakins:** On a point of order, we have got to take him and feed him

**Mr. Speaker:** Order, please. It being 6 o'clock I do now leave the chair and we will resume at 8 o'clock.

The House recessed at 6 p.m.

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No. 95



# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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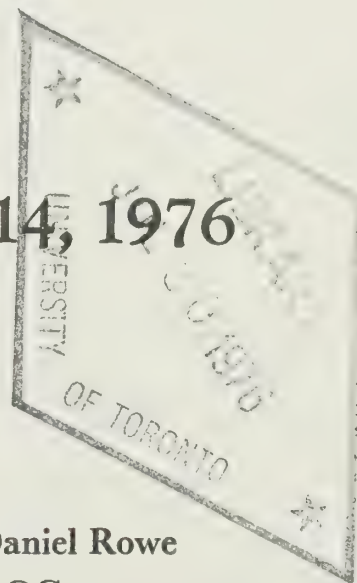
Wednesday, July 14, 1976

Evening Session

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC



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# LEGISLATURE OF ONTARIO

WEDNESDAY, JULY 14, 1976

The House resumed at 8 p.m.

## ANTI-INFLATION AGREEMENT ACT (continued)

**Mr. Speaker:** When we rose at 6 o'clock the hon. member for Ottawa East had the floor.

**Mr. Peterson:** He lost his notes, Mr. Speaker. He had a carefully written speech.

**Mr. Roy:** Mr. Speaker, before the dinner hour it was with a certain amount of trepidation that I said to you that I would continue at 8 o'clock, because my experience in this House tells me that one never knows what sort of treatment one will get at 8 o'clock—in view of the two-hour gap between 6 and 8. I've seen times, Mr. Speaker, when there was a sort of Dr. Jekyll and Mr. Hyde transformation in the members on the other side. I don't know what you give them, Mr. Speaker, during 6 to 8 in that Conservative caucus.

**Mr. Lawlor:** The same thing happens to you, Frankenstein.

**Mr. Roy:** Anyway, one is either faced with that situation or an empty chamber. This evening we have sort of a proper balance. I feel somewhat secure and confident, knowing that my colleagues are here in full force.

**Mr. Bain:** It's the ones behind you you have to worry about.

**Mr. Roy:** Of course, I did not know that the member for Hamilton Mountain (Hon. J. R. Smith) would grace us with his presence. He is just back from his honeymoon—

**Mr. Riddell:** And with a smile on his face.

**Mr. Roy:** With a smile on his face and no worse for wear; it seems to have done him some good. I take it that she is well? I trust he had a nice honeymoon—

**Hon. J. R. Smith:** Merci.

**Mr. Roy:** —and that stability will prevail as he continues on and the world unfolds in his ministry.

**Mr. Speaker:** Meanwhile, back to the principle of the bill.

**Mr. Roy:** Yes, Mr. Speaker. I wanted to set the record straight and say that when the programme was announced by the Prime Minister of the country in October, 1975, it was without any hesitation that our party supported the programme. But we said at that time, Mr. Speaker, that the controls for the public sector should be applied by a provincial board, and for various reasons.

The first reason was that we in this party are concerned about provincial rights. We are not prepared to abandon our rights just by signing a contract. We were concerned as well that the guidelines to be followed by the federal government and Jean-Luc Pepin involved such things as historical and geographical relationships. Who best could apply these guidelines but the government, the jurisdiction which has handled this problem since Confederation. It seems to me a ridiculous situation where we had to force the teachers back to work but did not tell them at what level. It was illogical. It was not a proper way to proceed.

Then we felt as well that the backlog at the federal level would be something that would make it unworkable. Although the Treasurer (Mr. McKeough) would say that the backlog is not bad, I understand it's still four or five months. So we felt justified in proposing this board. We propose two things, Mr. Speaker. First of all, we propose a provincial board and then, at the very least, if the government was going to enter into an agreement with the federal government, this agreement be subject to legislative consent or legislative approval. There should be some legislative authority to enter this agreement.

We asked for this. We pleaded with the government for this. We were fully expecting to get the help of the NDP for this. That seemed to make sense; they are for provincial rights, they are for protecting the public sector; or so they say. I ask them why didn't they support us then? Was it wrong?

**Mr. Peterson:** No.

**Mr. Roy:** The member for Riverdale (Mr. Renwick) says to us it was bad. They didn't want to test this, they were against the whole programme, they didn't want anything to do

with it. I ask my colleagues now was it wrong to support us then? They say yes it was.

I look at Hansard. I like to look back at Hansard.

**Mr. Gaunt:** A book of truth.

**Mr. Roy:** I look at the closing speaker for the NDP, the member for Wentworth (Mr. Deans).

**An hon. member:** The mayor of Hamilton.

**Mrs. Campbell:** His worship.

**Mr. Roy:** His worship. I look at what he had to say then as he closed off the debate on the Throne Speech back on Dec. 18, 1975. I am quoting from Hansard page 1976, where he said:

So it is for that reason that we can't support the Liberal amendment. It is not because the Liberal amendment in itself is wrong.

That's what he said then.

It is not because what they are asking for is wrong.

He repeats himself; he says it is not wrong.

It is not because of that at all.

He wants to make very clear it is not because of that. He says there is further work to do in the House. He goes on to say:

It is because we have to understand that this Legislature has a lot of work yet to be done.

That is what he said. Now it's political expediency.

**Mr. Mackenzie:** Tell us about political expediency.

**Mr. Roy:** It's not high principle; it wasn't high principle. They said at the time it was not wrong; they wanted to avoid an election.

Interjections.

**Mr. Speaker:** Order.

**Mr. Roy:** And they tell us about principle.

**Mr. Bain:** Let's pull the plug then; come on.

**Mr. Roy:** So here we are, Mr. Speaker. We laid out our position and they refused to support us. And here we have the mess. They contributed to this.

**An hon. member:** We were serious.

**Mr. Roy:** They supported the government back in December. They contributed to this. And now that we have this mess, what do we do? Do we support these incompetent bunglers on the other side?

**Mr. Bain:** Of course, you do.

**Mr. Roy:** It is what they are.

**Mr. Bain:** You do it every day.

**Mr. Roy:** Here is our choice: To support the arrogant bunglers on that side or to cause absolute economic chaos in Ontario for the next two months in an election. That's the choice. That's the role the NDP has accepted. Now we know what they would do in government.

Interjections.

**Mr. Roy:** I look at other NDP governments in power in Saskatchewan and in Manitoba. They are part of the plan. How come they signed up for the anti-inflation agreement?

**Mr. Mackenzie:** Tell us about your programme.

**Mr. Roy:** Why don't you do it?

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Roy:** I say our choice is a limited one in the sense that we have to accept our responsibility. As much as we hate to support them—

**Mr. Davidson:** Oh, baloney.

**Mr. Roy:** —for the good of the province we have no choice.

**Hon. Mr. Henderson:** Be honest.

**Mr. Roy:** Do you think it is easy to support the members opposite?

Interjections.

**Mr. S. Smith:** They are only human, after all.

**Mr. Speaker:** Order, please. Let's get back to an orderly debate on the principle of the bill.

Interjections.

**Mr. Roy:** Mr. Speaker, it is not easy for my colleagues and I to support these bunglers, I'll tell you. It's not easy at all. But we feel that in the best interests of the province, rather than creating economic chaos, we have no choice. The economic welfare of the province takes precedence over political expediency.

**Mr. Makarchuk:** The welfare of the party.

**Mr. Peterson:** Give them hell.



**Mr. Roy:** In closing, Mr. Speaker, I'd just like to say that time is on our side. The arrogance and the bungling, as I said before, are on that side—

**Mr. Peterson:** Do you have the French for it?

**Mr. Roy:** I don't have the French translation—I wish I had. But I just want to say, Mr. Speaker, that they haven't learned anything since 1975; they're the same.

**Hon. Mr. Henderson:** Don't you wish you were over here?

**Mr. Roy:** As far as the NDP is concerned, I think time will catch up to them as well. Mr. Speaker, I think time is on our side, and our responsible position here—

**Mr. Makarchuk:** That is about the only thing you have going for you.

**Mr. Warner:** Suspended animation.

**Mr. Roy:** Our responsible position here will be vindicated and we will be perceived as the alternative in this province.

**Mr. Lawlor:** Mr. Speaker, as they say in French: Did you ever see such a silk purse made out of such a sow's ear? That's the greatest apologia and piece of breast-beating I've ever seen. They are making a virtue of their invidious necessities.

**Mr. Conway:** Is that Joe Borowski French?

**An hon. member:** Speak English.

**Mr. Lawlor:** Instead of hiding his head in shame, with a piece of Gallic bravado he tries to turn it to an advantage. It is quite incredible.

Interjections.

**Mr. Lawlor:** I'm incensed, Mr. Speaker, because my opening lines tonight were stolen by the member for Wilson Heights (Mr. Singer). He did take the trouble to read page 65 of the Chief Justice's judgement. And he did make mention of the special pleading, the really Uriah Heepish gestilations made by the chief law officers of this province, grovelling before the Supreme Court of this country—

**Mr. S. Smith:** "Gestilations"—is that a new word?

**Mr. Lawlor:** —with respect to their own purblind blunders. It's actually so good that it should be mentioned again.

**Mr. Breithaupt:** Seven to two.

**Mr. Lawlor:** They were pleading away that they had a common law power. It is something they took out of the air from, oh probably the 13th century. I suspect it was a little before, knowing the Conservative Party over there.

**Mr. Roy:** It was the 16th century.

**Mr. Breithaupt:** After Marcus Aurelius.

**Mr. Lawlor:** No, this was common law. This was way back when Parliament was a spark in your father's eye and before that time; or it was at the time of pithecanthropos inerectus, he was flat on the ground when he first thought of it. He had a common law power and a capacity to enter into an agreement where there were no statutory restrictions. Did the chief justice ever give him the back of his hand on that one! He slapped him down very beautifully indeed. He says:

Rather, what is an issue is the right of the Crown, although duly protected by an order in council, to bind its subjects in the province to laws not enacted by the Legislature nor made applicable to such subjects by adoption under authorizing legislation. There is no principle in this country, as there is not in Great Britain, that the Crown may legislate by proclamation [edict—I'm adding that] or order in council to bind citizens where it so acts without the support of a statute of the Legislature.

[8:15]

That's not the end of it; the pleadings go on for several pages as to the really rather shallow presentation to bolster and support what I am sure he came to recognize as very inadequate grounds indeed. He must have come before that court with very considerable trepidation, knowing on second hindsight the really weak points in his total position. It says, also at 67:

The Attorney General of Ontario also relied on the judgement of the High Court of Australia in *New South Wales v. Bardolph* (1934). In so far as it affirms the capacity of the Crown to contract or the binding effect of a contract entered into on behalf of the Crown by a government official on the authority of a responsible minister charged with supervision of the governmental function out of which the alleged contract arose . . .

In other words, the government was saying this is like a case being put out to tender, this relationship. They invite various tenders, the federal government appears on the door—

step, and like any other pedestrian contract we sign the thing on the dotted line, we enter into an agreement, and the contractual power reposed in the government is the binding force behind the massive and the rather terrifying consequences of anti-inflation legislation.

We can't treat things of this moment in so pedestrian a fashion. It goes on to say:

It is one thing for the Crown in right of a province to contract for itself; it is a completely different thing for it to contract for the application to its inhabitants, and to labour organizations in the province . . .

This government is just going to contract for everybody, without any mandate, right out of the blue. Marvellous, the usurpation of authority. Quite marvellous, the assertion of arrogance in the particular context, particularly as they have been warned repeatedly by various members of this House as to what they felt, partially through legal training but by a certain instinct in the political realm, and as to what democracy is all about, and that they simply didn't have the authority to do the things that they pretended to be able to do. So we have our come-uppance in mid-summer, a mid-summer's nightmare. We are here tonight in any event, and it's no dream.

This government purports to bind all "labour organizations and the inhabitants of this province to laws to govern their operations and relations without statutory authority. This would be," Mr. Justice Laskin says, "in effect, to legislate in the guise of a contract."

What does it come down to? I take the Laskin judgement and the judgement of the seven good men of the Supreme Court to spell the end of arrogance, the end of a quasi sort of dictatorial overweeningness on the part of the government, which I have experienced in this House for 10 years, which grows by natural accretion in a party too long in power, for a period of 33 years—an almost natural development in a mentality and in a way of treating people and in a way of looking at the province and thinking things were your special preserve, and that you may ignore or override, or discountenance the basic premises upon which this society is founded. That has been going on, and now you have your come-uppance, and the come-uppance is delivered to you with a coup de grâce in the particular context of the legislation in question.

Let me put it this way, even if, appallingly, it should be that should you in the future remain the government of this province, or even be able to assert a new suzerainty—God

forbid—if that were the case, then perhaps this judgement will have left an indelible mark upon the mentality of the Tories in Ontario that they must give cognizance to and even reverence for the forms that are set up for human liberties and for the basic rights established by a strong constitution. I say that has gone by the wayside; there has been a shrinking and a diminution of that for too long a time now, and it comes home to roost on this particular occasion.

Mr. Speaker, when I read the judgement of Mr. Justice Bora Laskin, I was filled with nostalgia. It reminded me of the days, back almost 30 years ago, when I sat in his class, as did some others among us, to listen to him lecture on constitutional law, long before he dreamed he would become the Chief Justice of this country. As you read the judgement you hear echoing through those words his voice; his particular acuteness, the citing of cases, the particular acerbity in the man, as distinguishing cases; a little put off by this, a little irritated by that. And here he is come to the climacteric of his life, this was his big judgement, this would sweep aside a lot of dross.

Remarkably, he pulled with him, in this particular context, six other judges of like persuasion. Absolutely fabulous, so far as I am concerned as the student of Laskin, and in the area of constitutional matters. I had never thought it would come to pass. My particular feeling was that this legislation, on its first head, not on the head of your blunders but on the head of the ability of a federal government to pass legislation of an anti-inflationary kind, or economic legislation generally which would have searching and deep rooted effects upon the population at large, was something that we very well may not do with a neanderthal court working over the constitution. The previous judgements down through the years, and particularly with the Privy Council, would indicate to you that there stood a hell of a good chance of not being able to promote that, to get legislation of any kind through at all.

One remembers you had to pass a constitutional amendment to get old age pensions through. You had, in 1930 or so, 1937, to pass a constitutional amendment because the Supreme Court of this country at that time, and the Privy Council in Great Britain, ruled out unemployment insurance as a valid economic instrument in the contemporary world. Imagine it. All of Bennett's new deal legislation—and some of it was pretty good stuff, borrowed from the United States and Roosevelt. Pretty well all of it, statute after statute,



wiped out. Why? Because of some purblind and very archaic doctrines that were operative.

The Laskin judgement and the judgement of the seven in this particular case starts a new era in our history, at least it does that.

Let me say in preface, before I launch into it and praise it a little bit, that the judges of the Supreme Court in no way were adjudicating over the merits or demerits, the effectiveness or ineffectiveness, the justice or injustice, in political terms and consequences, of the legislation. That's not their job; that's a politician's job. They simply were dealing with the formalities of the thing; whether it could be classified and what doctrines operated in this context to either validate or invalidate it.

That must be clearly understood. If you make that distinction, then a lot of things flow. You can, on one side, say—and I'll say this, I don't care—I say I am gratified with the judgement being handed down on the first hand, while I take the very gravest exception to the very legislation that was validated.

The legislation itself is wretched; corrupt almost, inequitable in the extreme. It's a shame that it had to come in under that particular auspices and in this particular way. But what would have happened if the Supreme Court of this country had done what it was very well anticipated they might do, namely say that no federal government had, now or at any time in the future, dispository powers over the whole sea of economic circumstances as they may arise? They could have done that, and I feared that they might.

**Mr. S. Smith:** That is what the member for Riverdale (Mr. Renwick) wanted.

**Mr. Lawlor:** They didn't do so, they showed enlightenment. And why did they not do so? Because Bora Laskin sat as the chief judge of that court and gave it direction, gave it orientation and brought it into at least the beginning of the 20th century. That was a remarkable thing all by itself in the course of the judgement and something of which we should be cognizant.

I take a few moments just to mention that. Some of the background of Canadian constitutional law is the most ludicrous, the most laughable thing. Take the emergency doctrine which is central to this whole argument and at issue before us today. May I pause for a moment before going into it?

**Mr. Speaker,** it is regrettable. I know that I have supposedly a very limited time and I

am not going to observe my time with any great discreetness. My point is that this is the first opportunity we have had in this House to deal with matters which are probably as catastrophic as we are likely to deal with and we are all told that it being mid-summer we should kind of hold ourselves in some kind of balance. I just don't propose to do that.

The matter is too important and I have a few things I want to say. May I just say, too, that many things that I might have said in terms of the analysis of the legislation as extant will not and cannot be said because of time foreshortening. Again I find that regrettable, whatever anybody else might feel here about that particular analysis. You are saved, you may bow your heads but stick to the main issue.

The emergency power emerged in 1882 under the Queen versus Russell. It was a case having to do with animals and the inoculation of diseased animals in this country. It was held on that particular occasion that the federal government under POGG, the peace, order and good government clause of the constitution of this country, could legislate; that it was a matter of sufficient importance to take it out of local jurisdiction and out of the heads of section 92 of the British North America Act as matters being of local or confined importance and raising it to the national level.

There wasn't any question at that time in our history of anything called an emergency document. There was no emergency involved in that particular context and that doctrine has remained to haunt and enlighten us down from 1882. Subsequent decisions which the chief justice traces go off in two strands, one of them following through basically with respect to that doctrine that there is a very great power in the residuary clause of the POGG. No one denies that if an item or a matter, for instance problems of insurance in some instances, does not fall either within the designated or enumerated heads of either section 91, federal powers, or section 92, the 15 heads of power under the provincial legislation; you can't fit them in because the Fathers of Confederation never heard about them, so then the POGG clause may become operative simply without an emergency aspect connected with it.

With the Snider case—this is some years later, in 1907 or so—this doctrine became very emergent. With the Snider decision it was reinterpreted that there must be a national emergency, a matter of great importance for us. I should foreshorten my historical account,



but what happened is that it came through to Lord Haldane in the form of saying that only in the instance of war, virtually, only if there was a war, could there be an emergency in this country. As a result, that incredible concept pervaded our constitutional law down until recently, almost to this decision; the emergency power has been so very narrowly construed.

Mr. Justice Laskin broadens it out in this particular case; he brings it down and finds the synthesis with the National Products Marketing Act case and the Canada Temperance Federation case of 1946. These are cases which are synthetic. They bring two doctrines, on the one hand of national dimensions or national concern, matters like that, in conjunction with allying them to a doctrine with respect to emergency.

This is not Laskin's great judgement and it is a shame. Why? Because he deals with the four aspects arising out of the emergency power only and comes down and changes the word. This is terribly important. He calls it the crisis power—not emergency but the crisis power. He comes to the conclusion that the particular legislation in question falls within the crisis power and that it isn't for him to question why if the legislators, if the federal Parliament, believe that it is so.

It is very much opposed to that of Mr. Justice Beetz who does question whether it is so, and questions it severely. But my feeling about Mr. Justice Beetz is that he is a throw-back, that Mr. Justice Lyman Poore Duff is heard speaking ventriloquistically in this particular context.

[8:30]

**Mr. Lewis:** If you hadn't been elected, you wouldn't have had the pleasure of Patrick Lawlor.

**Mr. Lawlor:** I want to say I am not going to speak much longer. I was going to quote at some length and possibly analyse page 43 of the judgement—it was superb; the Canadian Temperance Federation case where aspect doctrine, trenching, the whole picture comes into play and is all being brought together and then it falls into place further on.

As I say, Mr. Justice Laskin failed because, and he says so in his judgement, he didn't directly deal with what is really the pivotal issue, that which waits to be considered in a final forum by the Supreme Court of this country, as to whether the national dimension or doctrine has weight, force and validity. I think it has to have; I think it should.

To those who are for provincial rights, for provincial rights so stringently and strongly that they will not give any cognizance to such a doctrine, I say that doctrine as interpreted by the courts and as elucidated thus far in no way endangers or calls into question what are simplistically provincial rights and the heads of power under that thing. I say further that when Mr. Justice Laskin is arguing on the emergency power solely, that second head, he is adroitly and surreptitiously—that's the word that has been used today, surreptitiously—

**Mr. Breithaupt:** That's the word for the day.

**Mr. Lawlor:** —bringing in the other doctrine at all times because he is broadening out the concept of what an emergency might be and it has become so broad as to encompass purposes of national importance.

There is another misunderstanding that I think should be very much clarified, and it is this: that we in the New Democratic Party are not opposed to controls. That's obvious. We are socialists. We believe in controls. We believe in controls that are equitable. We believe that only by balanced controls and an equitable operation within the contemporary economy, and a willingness to take those bulls by the horns and to bring them into being and to work across the board with respect to this particular matter, and in some depth, will we reach a just society.

We do not think, however, that these matters that we have before us do this at all. There are far too many exemptions. I am a professional man. It is a joke among us. We will not be afflicted in this particular way. Then there is the whole area in the industrial and every other sector with respect to increased productivity. All the openings that that gives undermine the scheme completely.

The Treasurer of this province (Mr. McKeough) asked how we would alter this thing in any way. Well, the first thing we would do, and it should have been done—and I hate to repeat things that are old hat but this is the case—that stuff should all have been frozen at the very initiation of the scheme; nor is it too late now. Why doesn't the government argue for a general freezing across the board of prices? If we have got wages frozen in effect, why not prices across the board? Why not adjust? Why not roll them back to Oct. 14? Make provisions. The government can set up formulas. It could set up formulas that would be equitable to those who would be hit with the cost of living index, or added costs with respect to



inventory—a whole host of things. There is no reason that this can't be done.

Then we would have some sense that there was direction and purpose and meaning and a sense of trying to be fair on the part of you guys, and on the part of your allies up in Ottawa at the present time. This government has just thrown in its hat with them—those whom this government usually inveighs against and I suppose ideologically hates on every other bloody occasion. In this particular context it throws in its hat because of expediency in the particular context of minority government, and that's the end of the matter so far as that's concerned.

If one reads Mr. Justice Beetz' decision, he gives lists of exclusions. He says the exclusions are so honeycombed and so tear the legislation into bits that the legislation cannot be considered as emergency legislation. If it were emergency, one couldn't do this kind of thing with it, Mr. Justice Beetz says, and therefore he comes to the conclusion it simply can't be considered as such. The 500 in the plant, etc.; the 200 in the construction union; the role of the professional worker; the business of energy, housing, food, whole hosts of things, all are exempt and all kept out of the overall oversight of the plan.

The plan then becomes a simple instrument with which to attack the workers of Canada. It zeroes in on the one area. It concentrates all its powers on a single point, and they're feeling it and they're resenting it. That doesn't do very much either for you or for the government upstairs.

May I just say in closing that in general the government blunders. The one sure hand has either paralysis or palsy. This becomes more obvious every day in almost everything you do. The one thing you could claim with competence in the past, you can no longer claim that now, and that means that you'd better get out and let some other people at least take a crack at it.

**Mr. Speaker:** The hon. member for Kitchener-Wilmot.

**Mr. Sweeney:** Mr. Speaker, it has become fairly obvious from the comments that we've heard thus far that the issues at stake here are certainly twofold: The whole morality, if you will, of the anti-inflation programme; and secondly, perhaps even more important, the morality, the validity, the mechanics that have been used by this government to deal with its own employees. I'd like to spend just a couple of minutes dealing with those.

We have in our society today many socio-economic problems which are serious; surely there is unemployment and surely a most unfair and disproportionate sharing of the wealth of our community. We have also people who are unable to provide adequate accommodation for their families; and we have inflation.

I mention those simply to point out that there are several socio-economic problems that we're facing, but inflation is surely the worst of all. It is the most insidious because it affects everyone. It is no respecter of person; it is no respecter, truly, of level of income; it is no respecter of whether a group of people have the ability to fight for themselves or do not have the ability to defend themselves. It strikes at everyone. That's what makes it so insidious, and that's why something must be done about it.

We've gone around this assembly pointing fingers. We've said the government is responsible for its huge deficits. We have said that business is responsible for its prices and its profits. We have said that labour is responsible for excessively high wages. Yet we seem to have forgotten that surely each and every one of us is as responsible as any of those groups; each and every one of us, in our inherent selfishness, in our desire to get something for me; each and every one of us trying to get a larger share of the pie than what perhaps we may deserve.

It has been proven time and time again, as several speakers have pointed out, inflation is nothing new, it's been with human society across the whole world for centuries, because the basic human traits that bring it on, greed and selfishness are still with us and are going to continue with us.

The federal government of this country confided in its people and explained to its people; many economists, many philosophers, many students of the constitution spoke to the people of this country. We were warned what was going to happen. We were told what was going to happen. We were advised and we were asked to discipline ourselves, but we couldn't do it. So reluctantly—and I underline that word, reluctantly—the federal government of this country brought in an anti-inflation programme.

Maybe they waited too long. Maybe they were naive in assuming that we would look after ourselves and discipline ourselves. But nevertheless it had to come. It may not be a perfect instrument, but as has also been pointed out, no one has yet come up with a better one. So we are faced with it.

But in the process of doing that, Mr. Speaker, the federal government gave to the

provincial governments of this country the option to look after its own public employees. They did not take it upon themselves to flaunt their responsibility. They did not take it upon themselves to flaunt the area of authority of the various provincial governments with respect to their own public employees. They gave them that option, and at that point in time we in this party argued strongly for the government of Ontario to pick up that responsibility, to pick up that modicum of authority, to pick up that area that it must answer for.

I must totally disagree with the comments of the Treasurer of the province (Mr. McKeough) this afternoon that there is no special relationship between the government of this province and the public employees of this province. There is a special relationship. That does not mean that you give them anything they want. That does not mean that you treat the private employees of this province unjustly and unfairly in comparison. That is not the point.

But there is a special relationship because the public employees of this province have, as their employer, the government of this province, the executive branch of this province, the administrative councils of this province. They are their employers. They have no other employer they can turn to. It's not like an industrial situation, or a commercial situation, where they have some recourse to someone else. They have recourse to their employer, and in that case that employer is the government of this province.

Surely that government has a responsibility to know what is best for its own employees in consultation with them? Surely the government of this province is best aware of the priorities of this government? That is the whole point of responsible government, and that is why we argued so strongly in December for a provincial board to look after the public employees of this province, not because we wanted to do a disservice to the private employees, but because of that special relationship which I have attempted to describe.

Alas, it is now too late to do that. What was possible in December, 1975, is no longer possible in July, 1976. There is too much water under the bridge. It is not possible. But some things are possible still. I would appeal to the minister and the Premier of this province (Mr. Davis), through you, Mr. Speaker, to reconsider the options, the opportunity that is presented to them at this point in time when this entire agreement which they signed in

January, when this legislation is here, when we can take a new look at it, the opportunity to bring the public employees of this province into their confidence, the opportunity to hear their views.

To the minister and to the Premier, through you, Mr. Speaker, I would urge that we provide some time. I don't know how long it would take. Maybe it would take only a week of holding this thing up; turning it all over to a standing committee if you will, or whatever mechanism the government chooses which is proper and which will do the job, but give the public employees of this province, the chance to sit down with their employer, with the government of this province, and express their views. At least let them be heard. The federal government is doing that very thing now, albeit, as I've stated clearly, I think it's late, but better late than never. They are now bringing the people in who are concerned, who are affected by this legislation, and they are listening to them. They are hearing them. They are giving them the opportunity to express their views.

The Premier stated yesterday that the people of this province did have a chance to do that. That is just not so. No one in this province had a chance to sit down and express his or her views. It was rammed down all of our throats, including the members of this Legislature. We had no voice in it whatsoever.

**Mr. Drea:** Vote against it.

**Mr. Leluk:** Vote against it.

**Mr. Sweeney:** That was the point. Here we have an opportunity, an opportunity for the minister and the Premier to act like statesmen—

**Mr. Riddell:** Have you got another job lined up?

**Mr. Sweeney:** —instead of politicians. Not because of any pressure from this side of the House—

**Mr. Warner:** Call an election.

**Mr. Sweeney:** —but simply because it's the right thing to do. It's the right way to treat those people who look to you and who support your lead. The possibility is there.

**Mr. Leluk:** Vote against it.

[8:45]

**Mr. Sweeney:** Mr. Speaker, the possibility also exists to amend the agreement itself at



this time. Subsection 3 of section 2 of this agreement which was signed in January clearly says that schedule B attached can be amended by this provincial government. They would only have to add that schedule A, which includes the various groups of people referred to, can also be amended so that from time to time, as I understand is done in the Province of Manitoba, when a decision is made in Ottawa which is patently unfair—and there have been such decisions made for people in this province—it can be reviewed by this government, this provincial government. Those possibilities exist.

Mr. Speaker, it has been shown time and time again that one of the major causes of inflation is over-expenditure by all levels of government. But there is not another jurisdiction in this country that has over-expended itself in its budget more than this one and therefore it has an area of responsibility—

**Mr. Haggerty:** Five years in a row.

**Mr. Sweeney:** —for the inflation that exists in this province, and surely it cannot lay that responsibility on the back of its own employees. The very least that this government can do is to step beside them and pick up a share of that load and walk beside them with it. I urge the government; it has the opportunity. Take it.

**Mr. Breaugh:** I want to make some comments on this bill before us, on the very principle that is in front of the House, which I think has to be described essentially as one that attempts to deal with a very difficult matter in a very simplified fashion. It attempts to impose on the people of Canada—and a little more specifically on the working people of Canada—a system of wage control.

There are those who spoke in this House this afternoon who said that we as a party are prepared to stand here for the big unions. And I want to say that we don't need to. They are perfectly competent, perfectly capable, have all of the resources and the expertise, have all of the staff time that they need to fight their own battle. They are fighting that battle and they are doing a magnificent job of it. And they are not just doing it on the streets; they are doing it with their rank and file membership where it counts.

You may recall in the early part of this kind of legislation, when it was first announced, the leadership of those unions said the very basic things, that it was a system of wage control and nobody, but nobody, can say that something that has been in operation for eight months and has rolled back some-

thing like 6,000 wage settlements and held up two price increases is anything but a wage control system. They said that initially.

**An hon. member:** Wage and wage control.

**Mr. Breaugh:** And people said, "All right, that's what the leadership think but they don't speak for the rank and file." I was there one rather cold winter day when that argument was put to rest on Parliament Hill, when the rank and file showed up. Then they said, "That's okay federally and with the large trade union movement but it doesn't apply provincially and with other trade union movements." And I was out on the front lawn on a nice spring day when that one was put to rest. So those people can defend themselves. And those people are defending themselves. And they will give this kind of legislation the kind of respect that it is due which is next to nil.

Unfortunately, there is, though, a sector remaining—and a large one—of people who are not in the organized trade union movement, workers in smaller industries, workers who don't have the benefit of that kind of education, who don't have the expertise, who don't have the staff time to explain the intricacies of an anti-wage legislation that can take something like a three per cent across the board salary increase to a General Motors line worker and turn that into something in excess of the wage guidelines by means of folding in other benefits that were negotiated. There is a group of people which is specifically exempted from the legislation, supposedly all those people in smaller plants.

On first appearances you would tend to think that unorganized workers then were not subject to this kind of control. But if you examine a federal government that is committed to this programme and a provincial government that is falling all over itself to get involved in it, and major and powerful influences in the private sector that is operating within this programme, it's ludicrous to say that unorganized workers are not in this programme as well. They are very powerfully so.

One of the critical things that happened, though, is the spinoff of the labour cutback, because particularly in the public service sector and particularly in the lower economic level, jobs are being cut back. Those people who are in the poorest position to defend themselves are caught in the squeeze between the private sector and the lower economic levels of the public sector.



Job opportunities are gone; they are just not there any more. I recall the Treasurer saying in his budget speech they intended to lay off about 3,000 civil servants. Not too many of them were people earning \$20,000 or \$30,000 a year. A lot of them were people at this low economic level and those people run back into the private sector because they seek employment and knock other people off. There's an unfortunate whirlpool in that operation there. In the public sector and in the private sector even temporary work situations are drying up.

In the unorganized portion of the work force there is a tremendous amount of unemployment and, worse yet and kind of in concert with this legislation, there are increasing restrictions on unemployment insurance benefits. There are cutbacks in terms of retraining. The person who is in that situation, the unorganized worker, the person who has a temporary job, the person who is in the poorest position to defend himself, is caught rather hopelessly in this kind of thing. These are the kinds of people who don't read the *Globe and Mail* for its cost-price index. They read the cash register at the supermarket and they see that that's going up unceasingly. They read the gas pump and they see that that's going up. They get their insurance rate bill and they see that that's gone up. They get their municipal taxes and those too are on the rise. They find in every indicator they have about cost of living, it's continuing to go up.

It gives them little consolation to read the *Globe and Mail* and see that things might be stabilizing a bit. On Friday when they go to shop it will be continuing on the rise. They know that and they know their job opportunities are being cut back and they know that the kind of retraining and assistance that they need is being more and more curtailed.

That's what they are into. That's the unfortunate and unholy circumstance upon which they find themselves. Those agencies that they turn to for help, those federal, those provincial, those municipal and those private agencies designed to help those people out of that kind of situation are also being faced with the same kind of restraint programme. The very people who are hurt the most, the very people who need those services are having them cut off.

I think, too, we should speak very briefly about the process that's under way. Quite frankly, I think it was simply a government in trouble looking for something to attack and what better to attack than some unidentifiable and very complicated thing called

inflation. Find some victims; try on the workers for size, the traditional victims of any kind of government programme. Withdraw all their support, put them in a position where you divert public attention from what is actually wrong with the nation and attack somebody. It doesn't matter who, but traditionally the worker is the target and that's the one you hit. Hit those with the most to lose and those people who have little ability to retaliate or to fight back or to fight for themselves, hit them the hardest.

In Ontario, not only did we ignore the unorganized worker but we conducted a rather frantic campaign to victimize a socio-economic group. We saw in this Legislature, throughout the spring session, time and time again, ministers of the Crown attacking these people, withdrawing support systems that they desperately needed, and they knew, withdrawing systems that never hurt somebody who doesn't need them but hurt those who need them the most in a crucial way.

That's where the attack began; and the attack, unfortunately, was carried on by ministers of the Crown very publicly and very happily preaching a restraint system to go along with an anti-inflation programme.

Let me point out a couple of weaknesses in that, though it might seem to be a traditionally popular route to go when a government is in trouble. The government is begging for a form of class warfare, one that has been used traditionally and one that has been used with some success, but it hasn't been handled very well here. I think appealing to the baser instincts of people, saying in effect that in a time of difficulty some have to get trampled and some will survive is not going to wash any more, not in this era.

I think, too, one thing that is happening very clearly and which the government didn't anticipate is the unity of working people. Those who are organized with a strong trade union movement are speaking for those who are not as fortunate, those who are not organized. Each and every time I've heard a major trade union leader speak on the matter he has said forthrightly and in the first instance that he not only speaks for the people in his union but for workers, period, organized and unorganized.

Interjections.

**Mr. Breagh:** You are going to find, whether you ever open your eyes and see it—take it easy, Landslide, you will get your chance later. You are going to find an increasing public awareness of what the government has done, you are going to find



unusual things like auto workers going and talking to unorganized workers and explaining a programme to them, something that government has not had to face before. Usually and traditionally you simply attack them and they respond in kind. This time you have got a massive education programme among the rank and file, and among their neighbours, that's working.

You are also going to find that there is an awareness of the results of the Anti-Inflation Board programme and its corresponding provincial legislation that is really, I think, unique. I think it is unique for the ordinary working person to understand a piece of legislation so well and so thoroughly as they do now. You are also going to find that the kind of gay abandon that you showed in jumping into bed with this federal programme, is beginning to wear and tear on people. They want to know why you did that outside this Legislature. They want to know why you had to go to court. They want to know how come the Province of Ontario did an illegal thing.

Interjections.

**Mr. Breaugh:** They are listening now. You are going to find something new and you are going to find them on a basis that you have never seen them before; and I think you are going to see them starting now, you have seen some results of it already. It's a massive rejection process, and you have seen that rejection process at work in the courts of this land, and you have seen that rejection process at work on the streets of our cities. You have seen the programme and the policies, and indeed the government that instituted this kind of nonsensical approach to a very difficult problem, heaved out, and that's going to happen sooner or later, and with a little co-operation from the cookie monsters it will happen much sooner than later, and that's an undeniable thing that is bound to come.

**Hon. Mr. Handleman:** You better take a poll pretty soon and find out what people are thinking.

**Mr. Breaugh:** You are going to find working people, those who are organized, and you are going to find those who are unorganized understanding and reaping the benefits of that kind of work, and the next time you go to the polls, whether you are provincial Tories or whether you are federal Liberals, you are going to experience that rejection process. and good luck to you because you will need it. Thank you, Mr. Speaker.

**Hon. Mr. Handleman:** You are completely out of touch.

**Mr. Deputy Speaker:** The hon. member for Renfrew North.

**Mr. Conway:** Thank you, Mr. Speaker. Renfrew county was right, and it is in that capacity, as the representative for Renfrew North, that it gives me a great deal of pleasure on their behalf to come before this assembly tonight and to say for them that the action which they undertook against the Province of Ontario some months ago has, in fact, vindicated a position widely held, not only by Division 25 of the OSSTF in Renfrew county, but certainly by very many individuals, not only in this assembly but throughout Ontario.

**Mr. Bounsall:** Let them see your leader's remarks.

Interjections.

**Mr. Foulds:** Get your colleagues to stop heckling you, Sean.

**Mr. Ferrier:** You are going to vote with us then, eh?

**Mr. Conway:** It is with a very personal sense of commitment that I speak on behalf of those teachers tonight, because it has been my singular pleasure to have worked with them over the past number of months on an issue with which I felt a great deal of personal communion. Because from the very beginning, as did the hon. members for Sarnia (Mr. Bullbrook) and Riverdale (Mr. Renwick) and other such distinguished members of the bar whom we have before us here in this assembly, I did believe that the Renfrew county case was, in fact, a solid one.

[9:00]

We come today to speak about the impending legislative sanction that this government needs to do what I firmly believe is necessary. I say that without equivocation and without any concern as to what that might mean in any—

**Mr. Ferrier:** Now you are going against your Renfrew teachers.

**Mr. Conway:** —future electoral division in which one of the candidates will be a teaching member of Division 25 of OSSTF.

**Mr. Lewis:** An excellent fellow.

**Mr. Conway:** And I say, Mr. Speaker, that I make that decision without reservation. I support what it is that this government has had to do. I do that with the customary re-

luctance and after hearing all the good reasoning which has been supplied by the very distinguished and eloquent predecessors in this debate, from all sides.

But I can say that I support and still do support the Renfrew county teachers in the basic position which they have taken, and that is that the government of Ontario acted with haste and without proper legislative sanction. I understand the position which they have taken, having spent a number of hours this afternoon with people of Division 25 of the OSSTF, and they will understand the position which I must take as a member, one of 125 held responsible for the government of Ontario.

While I know there are hon. members in this assembly who feel very genuinely that there should be a different approach, it is my firm and unequivocal belief that we do have a situation of national concern. It is further my belief, which I hold rightly or wrongly, that what Bill 127, introduced in this assembly yesterday, intends to do is something which, however imperfect, however unfair, is something which nonetheless I understand to be correct and proper. And I will and I can defend that.

**Mr. Warner:** Here comes rough justice again.

**Mr. Conway:** While it may very well be rough justice, it is something which I consider to be practical and, however imperfect, necessary. I'm a politician and, Mr. Speaker, however unfortunate that may be, I come to this debate activated by a political concern. With this very serious question that affects the monetary and fiscal and social and economic climate of this country and the province, I really wish there were an easy answer.

I sympathize with the emotions expressed very eloquently by such members as those who spoke representing Wentworth and Oshawa, because I recognize the animated spirit of their thoughts which they have put forward so very well here today. But I cannot bring myself to believe that a more immediate and effective alternative, a measure more widely acceptable, could be found, and found in a suitable parliamentary way. It is with that feeling of great concern that I will vote with my party, as I always do, in support of a government I have not always agreed with in principle. Because the politics of anti-inflation—

**Mr. Lawlor:** You've been voting with them quite a bit recently.

**Mr. Conway:** —is a very serious matter.

**An hon. member:** Habit forming.

**Mr. Conway:** I think there can be no greater tragedy than for a member of any party—much less in this time of a royal tour, or with a party that claims to be Her Majesty's loyal opposition—that they would come to this kind of serious deliberation and cultivate the impression that if only given the opportunity, they and only they can make the sun rise in the south and set in the north, and can deliver the kind of economic or political answer to this very serious concern.

**Mr. Lawlor:** Because the Olympics are on, do you want us to jump through hoops?

**Mr. Reed:** Just listen quietly and you will learn.

**Mr. Davidson:** We're learning, we're learning.

**Mr. Conway:** But it might be the exclusive preserve of any one of us, in any one party, to approach this kind of a deliberation, with all the seriousness of it, and tell, not our fellows in this assembly, but more important those electors throughout Ontario who, as we all understand, will not focus their attention as sharply and as deliberately as we must in this three-day debate.

For any of us to go forward from this debate and to tell the people of Ontario that if we had had the opportunity we could have dealt with the immediacy of the anti-inflation crisis, brought to bear as a result of Monday morning's decision, and that we and only we could have solved the problem and proposed the effective alternatives—Mr. Speaker, I haven't heard that effective alternative and I know I am not going to hear it because none exists; none that can be immediately put into place that is going to settle and is going to wash with those teachers with whom I spoke in my riding this afternoon, who said to me, "you know, we fought a good battle and I am happy that we won, but I don't know whether I want the retroactivity. I don't know whether I want to see this province go into an election campaign."

You see, Mr. Speaker, that is what it is going to be—an election campaign on wage and price controls; or wage controls, as has been mentioned by my predecessor from Oshawa.

**An hon. member:** Just give it a try.

**Mr. Makarchuk:** You just cannot trust the people to decide.

**Mr. Conway:** The people of Renfrew county, and I firmly believe the people of



Ontario, are not as simplistic as to approach a very complex issue of this kind with that kind of simplistic approach—

**Mr. Warner:** Let's find out.

**Mr. Bain:** Quit talking down to the electorate.

**Mr. Reid:** He's talking down to you so you can understand him.

**Mr. Bain:** He talks down to everybody, including you.

**An hon. member:** Another voice from the Liberal-Labour.

**Mr. Conway:** None of us will serve the public good in a way that I think we must if we go forward and encourage the kind of simplistic politics for anti-inflation that it has been my singular misfortune to have heard from some members of this assembly this afternoon.

So while I will probably disagree with some people in the Renfrew county division of the OSSTF, whose position on this I can fully appreciate, I will tomorrow vote in a way that, as I have said, will probably be contradictory to their best interests as they would see it. But I do so unequivocally; I do so unashamedly, because it is my one man's opinion that this is the only practical way to solve a very serious economic and, indeed, a very immediate political crisis.

**Mr. Peterson:** Mr. Speaker, I just want to say how happy I am to participate in this debate and that I think it is one of the more enjoyable and one of the most worthwhile debates that I have heard in this House in my brief stay here. I plan to be here much longer, mind you—I would just like the member to know—but I think it is very worthwhile and well attended, and I am singularly impressed with the quality of the speakers and the commitment on all sides of this House.

I must confess that the best parts of my speech have already been said several times by various other speakers, so I am going to leave you, Mr. Speaker, with the dregs and just some of those parts that weren't mentioned.

There is no question that our party is committed very strongly to supporting the federal programme of anti-inflation controls. We feel that it's a necessity. We understand and we have read and we have studied the judgement of the Supreme Court, and we subscribe to it.

I must say it has been very interesting to me, particularly as one who has gone to law school, to sit and listen to some of the front-bench lawyers in the various parties discussing this judgement—and indeed holding themselves up as a higher authority. My friend the member for Riverdale (Mr. Renwick) was discussing and based his arguments today on a dissenting opinion and I think that's—

Interjection.

**Mr. Peterson:** —pretty typical of that party. He does associate with the losers in most cases.

Interjection.

**Mr. Peterson:** And then I couldn't understand his friend, the member for Lakeshore (Mr. Lawlor) who said that Mr. Justice Beetz's decision was a throwback, and I think by implication that of his friend from Riverdale also. Now, would that be a fair paraphrase of what he said?

**Mr. Lewis:** No, actually he said his decision was enlightened; the justice was a throwback.

**Mr. Peterson:** That may be just synonymous in that particular case. It may have been his friend's speech that was a throwback. But I must say to the member in all fairness the only thing that frightens me more than having—

**Mr. Lawlor:** Let's hear what you have to say.

**Mr. Peterson:** —our Attorney General (Mr. McMurtry) plead on behalf of this province is to have one of our friends from the NDP plead for this province. We have seen the quality of that legal debate today and indeed the quality of legal opinions they have expressed in this House in the last little while, and I tell you, Mr. Speaker, I am appalled. I say to you, with a great sense of pride in my own party and my own colleagues here—the member for Wilson Heights (Mr. Singer) and the member from Ottawa—where are you from?—and the member for Sarnia (Mr. Bullbrook)—

**Mr. Foulds:** You don't even know where they are from!

**Mr. Peterson:** —have talked about this issue and predicted what would happen; and indeed it has happened, and I say with a great deal of pride that our party has had a consistent, strong view on this particular issue.

**Mr. Lawlor:** It hasn't been very evident.

**Mr. Peterson:** And I say to you again, I think back to the Throne speech of last December when my leader at the time, the member for Brant-Oxford-Haldimand-Norfolk, and the various other places in between, spoke so strongly and so eloquently on this issue. Everything he said then was right; it has been proved to be right and they should have followed our advice.

**Mr. Foulds:** And today you are repudiating it. Don't you wish you were the leader today?

**Mr. Peterson:** This party across from us, those worthy members opposite, have painted themselves as the party of competence and expertise. They run around the province saying that they are the only people that can manage, the only people that understand the issues and the only people that have the expertise and I can tell you, Mr. Speaker, it's wrong. The courts know it's wrong. The people know it's wrong. Everybody in this House knows it's wrong and—

**Mr. Warner:** They are incompetent, like you.

**Mr. Peterson:** —I have to say with great respect to my friends to the right, who are very much to the left, that they are incompetent, judging by some of their legal opinions today, to do that kind of management work as well.

I have read many many opinions of the Supreme Court of this province, and usually, you know, the judges have the common decency to defer to a counsel and say that was a good point or discuss it in fairness and to give it the benefit of the doubt, particularly when one such as the Attorney General of a province would deign to appear in the Supreme Court of Canada. It's very interesting to read his submissions and the way they were dealt with by the Supreme Court with respect to Ontario's involvement. They were all dismissed summarily. They were all dismissed quickly and not one of them was treated as having the least bit of relevance. What bothers me is that this kind of opinion was not known by the government beforehand and that they would go and frankly embarrass our province with this poor legal argument and the poor quality of representation.

**An hon. member:** He should resign.

**Mr. Peterson:** Listen to this. The points that he made—he talked about two or three

of the authorities that he cited in his argument.

**Mr. Ruston:** The Attorney General has got to resign.

**Mr. Peterson:** He cited a case called "Reference re troops in Cape Breton." There was nothing in "Reference re troops in Cape Breton" that even suggests any power in the provincial Crown, let alone the minister, to agree to the adoption of laws binding on the inhabitants of the province.

**Mr. Breithaupt:** That's what you get from reading the head notes.

**Mr. Peterson:** Nor was there any assistance to be derived from the Attorney General of Canada versus Higby.

**Mr. Hodgson:** Keep on, David. You will be the next leader.

**Mr. Peterson:** Then he quoted a case called New South Wales versus Bardolph. As you know he had to dig so he went to an Australian court to try to find a precedent for his particular form of illegal behaviour. The chief justice said it deals with an issue which is not germane to the present case and he dismissed all of these authorities and said they were irrelevant. What he said really is the Attorney General is a crummy lawyer.

**Mr. Foulds:** That man is the chief law officer of the province. That doesn't make him a lawyer of any repute.

[9:15]

**Mr. Peterson:** I am appalled, and I can say to you very honestly, Mr. Speaker, that I am embarrassed, particularly in the wake of the humiliation at the hands of the court with respect to the closing of the hospitals. I say this reveals to me a trend that I find most disturbing. I can say very sincerely if this issue we're discussing today was not so much in the public interest that we cannot afford to see this bill defeated, then this government would have to be defeated for gross incompetence, for arrogance and for extraordinarily bad judgement and a series of bad judgements.

As I said to you, Mr. Speaker, and I believe it very strongly, if we don't support this bill today, we will have litigation, court cases, bitterness, unhappiness—

**Mr. Bain:** Do two wrongs make a right?

**Mr. Peterson:** —and uncertainty in this province that no one, not even our friends



to the right, can live with. And I say to you not to support this bill at this time, given the circumstances—and we all admit it's wrong, that we should never be here now, that this should have been hammered out last fall—

**Mr. Foulds:** You all admit it's wrong and you're voting for it. It's incredible.

**Mr. Peterson:** Listen, and you'll learn something. I'm tired of you armchair lawyers over there.

Interjections.

**Mr. Peterson:** I say it would have absolutely untold consequences for this province and for this country if we do not support it. I think at this time the responsibility we have is higher than the interest we have in kicking the government out, which Lord knows they deserve.

**Mr. Foulds:** Principle if necessary, but not necessarily principle.

**Mr. Peterson:** I just want to talk about two or three other things that bother me. I go back to last fall. The Treasurer (Mr. McKeough) stood up today in his usual bluff and blustery way. It was very difficult for me to distinguish between the grunts and the groans and the yelling, but I understood his point to be that an anti-inflation board in the Province of Ontario would cost in the order of \$10 million. That is roughly the federal budget. I believe it's more in the order of \$11 million to \$12 million.

**Mr. Breithaupt:** That's how the Treasurer does his arithmetic.

**Mr. Peterson:** In the Province of Quebec, it's done for the price of \$1.5 million. I submit if there were economies it really wouldn't have been an extravagance, it would not have been wasteful. Given the tie-ups and all of the reasons already discussed by my friends, my colleagues and people in the other party, it wouldn't have been a bad decision at the time. In fact, it would have been a good one and it would have been the correct one.

I'm sorry that the Treasurer doesn't see it that way. I'm appalled to sit in this House today and listen to the Treasurer say that the finance ministers across this country agreed not to quibble about the constitution. It seems to me that those 11 gentlemen, of whom he is one, have an obligation to obey the constitution of this country just as much as you or I or any other citizen does. Just because they don't quibble doesn't mean the Renfrew county teachers won't quibble or

some other responsible, respectable group. They have no right to sit in the back rooms in Ottawa and diddle around with preconceived ideas about what our constitution allows or won't allow. They have to bring it to the House; they have to discuss it. I was appalled to hear that kind of arrogance. I wish he was here to start yelling at me because I'd yell harder back at him tonight.

**Mr. Foulds:** And that would prove a lot.

**Mr. Peterson:** That kind of arrogance, that kind of Bollingsbrook Tory who still believes in privilege, who still believes when he steals the finest of cigars he can sit around and smoke them and decide on the destiny of this country and this province without regard for the law of the land and the British North America Act, I say is indicative of a kind of attitude that we've had enough of.

**Mr. Warner:** But you'll support it.

**Mr. Peterson:** Mr. Speaker, I think I've drawn my remarks to a close. I just wanted to discuss those two or three things that bothered me very substantially on this issue. I think a lot of the other points of view have been expressed very well and very articulately this evening. I do reiterate, in closing, that I think it would be most irresponsible at this time, not to support the programme, given the circumstances, given the fact we're nine months into the programme, given the fact it is operating, given the fact there is a body of expertise that has developed around this board, given the fact that I think, and my friends to the right will disagree with me, some people are developing some confidence at least in a system. Granted it's not perfect and granted there are inequities, but given the circumstances it's the kind of programme that deserves national support and Ontario's support as the paramount province. I would urge all members to consider the matter in that light.

**Mr. Deputy Speaker:** The hon. member for Scarborough Centre (Mr. Drea) was the next one on my list.

**An hon. member:** Scratch him. He's gone home for lunch.

**Mr. Lewis:** He was in the House a few moments ago.

**Mr. Grossman:** It will be worth waiting for.

**Mrs. Campbell:** Is the Speaker finding it hard to recognize that there is no one on his feet?

**Mr. Deputy Speaker:** The next one on my list is the hon. member for Peterborough.

**Mr. Roy:** Can't you get your act together over there?

**Ms. Sandeman:** Mr. Speaker, in discussing this bill this afternoon and this evening we seem to be labouring under some kind of sham, some kind of pretence that we are, in fact, dealing with an anti-inflation programme, with a bill which has something to do with dealing with the problems of inflation and because the bill deals with this problem we should all give to it automatic support. I suppose, the argument would go that inflation is harmful both to individuals and to the economy as a whole and therefore we will, as the Tories are given to say, fight this battle together. But we're not fighting inflation in this bill. We're dealing with a provincial bill which has a symbiotic relationship with a federal bill which, in effect, does only one thing and that is to control wages.

Other speakers have spoken at some length on the inequities inherent in this bill and on its inadequacy as a weapon in the fight against inflation. I'd like to speak just very briefly about some of the major omissions in the armoury, some of the weapons that should have been there in the fight, and which aren't, if we're to pretend that this is an anti-inflation programme as embraced by the federal and provincial Liberals and by the provincial Conservatives.

Clearly, if we look at the normal expenditures of a normal household in Ontario, there are three major expenses: Housing, energy and food. The Treasurer knows this. He knows it very well. He knows the effect that the increasing rate of inflation has had in these areas. He commented to us, on Oct. 30, 1975, when he spoke on Ontario's anti-inflation programme, that our consumers have been hit with one price increase after another in areas such as food, housing and fuel. He commented at the same time, too, that the rate of unemployment here certainly has risen to unacceptable levels, and that is something else we seem to be ignoring today. But to keep to the housing, energy and food which have risen to unacceptable levels we have to remember that on an average—

**Mr. Roy:** You missed your turn, Frank.

**Ms. Sandeman:** —these expenses form over 50 per cent of the consumer price index and for poorer people, people on fixed incomes or minimum wage, they form a considerable higher percentage than that. But where is the overall economic planning to deal with the

problems of these components of inflation? We certainly don't find it in the federal bill, nor is it peripherally dealt with in today's bill. Energy prices are up about 19 to 20 per cent over last year and it looks likely that this rate of inflation will get worse when we see what Ontario Hydro has in store for us.

**Mr. Foulds:** Order, please.

**Ms. Sandeman:** The federal government's statement—

**Mr. Roy:** That's too bad, Frank. That is too bad.

**Ms. Sandeman:** —which accompanied the announcement of the federal attack on inflation, a programme of national action—

**Mr. Roy:** Try to control yourself, Frank.

**Ms. Sandeman:** —that's a euphemism if ever I heard one for a programme of national inaction—the federal statement, Mr. MacDonald's statement, says that the most important single policy available to promote more effective use and production of energy is the fact that consumers must recognize that there will be higher prices for energy. That is taken as something that is accepted by the federal government which is mounting an attack on inflation. The provincial government, too, recognizes the dangers inherent in higher prices of all sorts of energy, the dangers inherent in allowing energy sources to increase in price, the dangers to economic development, to the increasing unemployment level, to the increased cost to individuals. So what do we see in this province as an attack on inflationary pressures of rising energy prices? We see a royal commission under Mr. Isbister, the only result of which seems to be a total whitewash of the oil companies, and, of course, we see a continuation of rising energy costs in this province and a complete sellout of our energy resources. We must have a comprehensive policy on all aspects of production, distribution and use of energy sources. Until we do, we cannot continue to pretend that we are dealing with the inflation as we see it at the moment.

Secondly, in reference to housing, which is another highly inflationary component in the present economic picture, we see house prices continuing to rise at over 15 per cent a year. The federal government, again, recognizes the problem in its attack on inflation and talks of what it calls the need for structural policies in a comprehensive anti-inflation programme. One of the structural policies would deal with the future supply of housing within the programme to fight inflation.



They talk about one of the sources of the high price of housing being the increase in the price of land, which I guess we had all noticed. The fundamental answer to this problem, they tell us, is to increase the supply of serviced land for housing, and Mr. Macdonald went on to say that any attempt to control the price directly would be incompatible with this objective.

So we see the same kind of cop-out on land prices as we go on energy prices. On energy prices, the single most pressing problem, he said, was to explain to consumers that there would be higher prices; on land prices, any attempt to control the price directly would be incompatible with the objective of getting serviced land on the market. It seems to me to be some kind of non-sequitur.

Another important component of rising house prices, of course, is the already high, frighteningly high, rate of mortgages. What happened, I wonder, to that pre-election promise to reduce, by some kind of tax relief, the effective mortgage rate down to 10 per cent? That would be a structural policy in the federal mood. Where is the action—the federal or provincial action on land prices? Where is the action on mortgage rates?

Again, I would have to say that this so-called anti-inflation programme does not really address itself to the problems of ever-increasing shelter costs and ever-increasing energy costs. What we in this party continue to look for is not an anti-inflation programme which seems to control only the wages of the worker, but a comprehensive programme to fight inflation on all economic fronts. We are still waiting for federal action in the energy field and in the housing field. We are waiting for provincial action in the housing field and in the energy field. And I guess I would have to say in conclusion, Mr. Speaker, that Bill 127 was not what we were waiting for.

**Mr. Drea:** Mr. Speaker, first of all I would like to direct some remarks to my friend and colleague, somebody I respect very much—the Attorney General of this province (Mr. McMurtry).

**Mr. Peterson:** Who is that again?

**Mr. Good:** You've got one there somewhere.

**Mr. Peterson:** Are you the one who gives him legal advice, Frank?

**Mr. Drea:** Mr. Speaker, I am going to try to improve your public image tonight. You make great marks in the newspapers about being a tough guy. If you really want to

lose the image tonight, let them go at me because I'll tell you, I can handle them as I have demonstrated many times before.

**Mr. Foulds:** Speak to the principle of the bill.

**Mr. Drea:** If you want your image in there, you can do an address tonight just as you did this afternoon.

**Mr. Lewis:** If you were Frank Drea, Mr. Speaker, this is your test.

**Mr. Drea:** Mr. Speaker, I want to talk just for a moment, because the reputation of my friend and colleague, the Attorney General has been mentioned.

**Mr. Peterson:** If he needs your help, things must be really grim, Frank; I'll tell you that.

**Mr. Drea:** Both inside the House and outside there has been the sanctimonious comment by somebody I listened to for an hour today on my car radio, about how he wasn't exactly the kind of person he would hire to defend a traffic ticket.

**Mr. Cunningham:** You were driving around?

**Mr. Peterson:** At 15 cents a mile it is not that unpleasant.

[9:30]

**Mr. Drea:** Well, I hope so; but I really think the reputation of the Attorney General is somewhat at stake in this.

I want to say to you, Mr. Speaker, the Attorney General of this province, in my experience, has not only been a noteworthy trial lawyer in this province but a man of substance in the community. I will tell you, Mr. Speaker, that in my opinion he is the finest Attorney General in the history of this province—and I've been around Attorney Generals for 20 years.

Interjections.

**Mr. Sweeney:** Doesn't say much for the ones that went before.

**Mr. Speaker:** Order, please. The hon. member for Scarborough Centre has the floor; give him the courtesy of listening to him.

**Mrs. Campbell:** Why?

**Mr. Drea:** I think that is of some significance, Mr. Speaker, because an innuendo was made before the House that if this—

**Mr. Lewis:** What innuendo?

**Mr. Drea:** What innuendo? All right, a member said it.

**Mr. Nixon:** You said it, buddy.

**Mr. Drea:** Mr. Speaker, an innuendo was made in the House.

**Mr. Lewis:** The member for London Centre (Mr. Peterson) called him a crummy lawyer. That is not an innuendo, it is entirely explicit.

**Mr. Drea:** Well, I say to my friend from the neighbouring riding in Scarborough West, that I will get to him in a few moments about his little sanctimonious performance today. I will get to him next.

**Mr. Nixon:** Look out.

**Mr. Lewis:** I have not spoken yet.

**Mr. Breithaupt:** It is clearly all your fault.

**Mr. Drea:** No, the one that I had to listen to on the radio—like the lawyer. And since the member was answering the telephone, he knows what I am talking about.

**Mr. Lewis:** I defended Arthur Maloney today.

**Mr. Drea:** There were a few other things—we'll get to that, I'll deal with this first.

**Mr. Speaker:** That is not the principle of this bill.

**Mr. Peterson:** He wouldn't know the principle of the bill.

Interjections.

**Mr. Drea:** Mr. Speaker, I think it is highly significant—

**Mr. Lewis:** Time.

**Mr. Drea:**—that the Supreme Court of Canada, when they decided on this issue—and perhaps we should break it down into issues. First, the Supreme Court of Canada decided that the anti-inflation legislation was constitutional.

**An hon. member:** Here we go.

**Mr. Roy:** Oh very good, we are getting the legal aspects of the decision here.

**Mr. Drea:** Secondly, the Supreme Court of Canada decided—and I shall come in my third part to the quality of the Supreme Court of Canada.

**Mr. Roy:** I can't wait for that.

Interjections.

**Mr. Drea:** The Supreme Court of Canada decided that Ontario had acted beyond its

means in the method by which it entered into the anti-inflation agreement.

**Mr. Riddell:** What have you been doing, shadow boxing?

**Mr. Drea:** Mr. Speaker, ever since Monday the onus of the decision has been placed upon the shoulders of the Attorney General of this province, because it was his ministry—

**Mr. Roy:** That's unfair; that's not fair.

**Mr. Drea:**—which entered into this agreement. It has been suggested that it was the fault of the ministry that the government received, at the very least, questionable legal advice. I would suggest to you, Mr. Speaker, that exactly the opposite is true.

**Mr. Roy:** Those nine judges were misguided.

**Mr. Drea:** Mr. Speaker, the agreement between Ontario and the federal government was not a unilateral agreement. The agreement was based upon consultation and legal opinion in Ottawa.

**Mr. Roy:** Here we go, pass the buck.

**Mr. Drea:** Look, if I was getting as much money out of the federal government being a lawyer for them part-time, I wouldn't open my mouth. That legal opinion was based as much upon—

**Mr. Roy:** Point of privilege.

**Mr. Speaker:** The member for Ottawa East does not have the floor.

**Mr. Roy:** Point of privilege.

**Mr. Speaker:** A point of privilege.

**Mr. Roy:** Yes, a point of privilege.

**Mr. Lewis:** How much money are you getting?

**Mr. Roy:** Mr. Speaker, it has been suggested that I am getting some money from the federal government. I want to make it very clear that it's the other way around; I'm the one who keeps giving them money, I don't get any money.

**Mr. Drea:** Mr. Speaker, I suggest you consult the public accounts books in Ottawa, they might give a different impression. Mr. Speaker, the advice that was given to this province was on behalf of the federal government. They were consulted and they felt it was constitutional. The Ministry of the Attorney General in this province felt the



particular method by which we approached this issue was constitutional.

I'm not going to quarrel at this time, and I'm not going to quarrel at all, really, with the fact that the Supreme Court of Canada, whether it was 9-0 or 7-2, or 5-4, or 25-1; because indeed, Mr. Speaker, like you, I respect the courts. I find that they have found, and they have disagreed with very eminent solicitors; it's not the first time nor is it the last.

Mr. Roy: Frank, I think you should appeal it.

Mr. Drea: But I want to say to you, Mr. Speaker, to have this House entertain a canard for two or three days that the Attorney General of this province is somehow lacking in legal experience is something that is not only disgraceful, it's despicable.

Interjections.

Mr. Drea: Mr. Speaker, I want to make my remarks in three forms tonight. First of all I want to talk about the merits of the anti-inflation programme in Canada; secondly, I want to talk about the merits of the anti-inflation programme in Ontario; and thirdly, I want to make some suggestions about the Supreme Court.

Mr. Breithaupt: Try to do the third one first.

Mr. Drea: Well, for somebody who doesn't even tell his leader yesterday that we are meeting at 2 o'clock, let alone 10 o'clock, I don't think you have the right to open your mouth today.

Interjections.

Mr. Drea: Mr. Speaker, there is no doubt that the fight against inflation in this country was not only necessary, but needed. I don't think there is anybody in this House—at least I would certainly hope not—who really didn't understand what has gone on in the last two or three or four years, that people's incomes—

Mr. Reid: Four years of deficits.

Mr. Drea: —people who believe in the doctrines of Canadian society, the middle class, who had saved their money, who had worked hard, who had done everything they were supposed to do—were being eroded week by week by something over which neither they, nor indeed their municipal government, nor indeed their provincial government, nor indeed the federal government really had any control over in terms of a free economy.

Mr. Reid: Oh, come off it.

Mr. Drea: Well, my friend, if you are going to suggest to me that a government had any control over it you should talk to your brother, because he sat there and passed those deficits in Ottawa which have us bankrupted today.

Interjections.

Mr. Conway: Time.

Mr. Drea: Mr. Speaker, there was an overriding concern in this country that we were eroding the very ground that was the foundation, in the middle and older ages of the people who had built not only this province but this country.

It's all very well to sit back in July, 1976, and look at the current measurements, the calming down, it's being a little bit easier. Mr. Speaker, I ask you to remember a year ago or two years ago; I ask you to remember when the price of meat was sky high; I ask you to remember when the price of bread was going up; I ask you to remember when the price of apartments was going up; and they are going up on the very people who are the foundation of our society.

There comes a point when a government has to say that despite our reluctance to interfere in the free marketplace that there is an emergency and we have to do certain things. It would be very easy for me tonight to introduce partisan politics in here.

Interjections.

Mr. Drea: It would be very easy. I could say to you that the Progressive Conservative Party in the election of 1974 campaigned for wage and price controls. I won't, I won't. You see, Mr. Speaker, I am not like them. I don't insult the teachers of Ontario with a silly little document from a dollar-a-minute man. I don't do that.

Interjections.

Mr. Drea: Mr. Speaker, I suggest to you that it really was an emergency. It had to be dealt with. I think I am big enough politically that, despite the fact that I suppose I could have said I told you so and I am sure that as a representative of a political party, in other than your chair, you could have said something too, but nonetheless, it was done. And when it was done, it had to be done equally.

Mr. Lewis: And quickly.

Mr. Drea: And quickly, that's right.

**Mr. Lewis:** It would be well if it were done quickly.

**Mr. Drea:** Well, if the Leader of the Opposition wants to say that it shouldn't be done equally. I would be—

**Mr. Lewis:** You believe in injustices universally applied?

**Mr. Drea:** That's right.

**Mr. Lewis:** I rest my case.

**Mr. Drea:** Well, it's all very well for the—

**Mr. Lewis:** Did Hansard get that exchange? I will read it tomorrow.

**Mr. Drea:** That's very nice. Yes, there was an injustice applied. For the man who worked in the steel plant, his wages weren't catching up with the price of steel, they weren't catching up with the price of groceries, and I didn't notice the member's party doing anything about it. I also didn't notice his party trying to do anything about the fact that the old age pensioner was being put on cans of dog food or what have you because he couldn't even afford tunafish any more. I didn't notice that a year ago.

I saw the member up again giving his sanctimonious speeches. He was going to do this. He was going to do that.

**Mr. Breithaupt:** That's your concern.

**Mr. Drea:** The member's party had the opportunity in 1973 when it was the minority government. It could have made everything twig and it didn't do one single thing about it. So I suggest to the member that he just let me finish what I have to say tonight.

**Mr. Speaker:** there is no doubt that there was an emergency:

**Mr. Roy:** Don't get political; you become incoherent.

**Mr. Drea:** There was no doubt whatsoever. And while the member opposite and I may quibble about the methods that were taken to meet the emergency, I suggest that really in nobody's mind was there any doubt that there was an emergency. Therefore this province acted upon the best legal advice that the Attorney General of the time could obtain, not only from this province but from Ottawa, and we did it.

I find it very interesting that the very people now who say, "Oh yes, we'll go along with it," back in December sang another tune.

**Mr. Breithaupt:** We did not.

**Mr. Drea:** You did not? Oh, listen. I sat here today between 3:30 and 4 o'clock and I listened to the member for Hamilton West or whatever his title is and I heard him tell the whole story.

**Mr. Breithaupt:** We supported the Anti-Inflation Board.

**Mr. Drea:** Oh, you supported the Anti-Inflation Board back there. You wanted a provincial board on the grounds it might be cheaper. You wanted this, you wanted that. I will tell you, you changed your minds as much in December as you did in March when you got to be famous about it and as much as you're going to do in the next two days to try to become popular.

**Mr. Peterson:** Oh, I'm devastated.

**Mr. Drea:** Oh, I'm sure you are. The only reason you are devastated is because you can't think quickly enough—

**Mr. Deputy Speaker:** Will the member for Scarborough Centre address his remarks through the Chair and be less provocative?

**Mr. Reid:** You don't deserve that, Mr. Speaker.

Interjections.

**Mr. Drea:** Oh, I'm coming to the Leader of the Opposition. I'm just working on them.

**Mr. Lewis:** I'm waiting breathlessly.

**Mr. Drea:** Oh, I'm sure you are.

**Mr. Roy:** You are making it difficult for us, Frank.

**Mr. Drea:** Mr. Speaker, there was really no doubt that this was done with the best of intentions by this government. It was done in an emergency situation. I find it very humorous today that the leader of the third party said, "I believe in provincial rights," and I think that's very interesting, over the years certainly.

This party believes in provincial rights. There is no party that has fought harder in this country for provincial rights, but I suggest to you, Mr. Speaker, there have been two occasions in the last number of years when this party has been willing to sacrifice the ideological goal of provincial rights for a national emergency.

The first one was the War Measures Act. The second one was this.



**Mr. Peterson:** Which war was that again?

**Mr. Lewis:** You're darn right they were sacrificed. People like Arthur Wishart were very worried about that.

**Mr. Drea:** Well, I suggest to you that even despite hindsight, if I had the opportunity, I would have gone just as much along with the War Measures Act today as back then.

**An hon. member:** You go further.

**Mr. Lewis:** I believe that.

**Mr. Deputy Speaker:** That's not a part of this Bill 127.

**Mr. Drea:** I'm pointing out, Mr. Speaker, that twice we have sacrificed provincial rights on the basis of an emergency. The first was the War Measures Act and the second was this.

**Mrs. Campbell:** You sacrificed the Legislature.

**Mr. Roy:** What did Ontario sacrifice in the War Measures Act in 1970?

**Mr. Drea:** Mr. Speaker, I want to come to the second part of what I want to say tonight.

**An hon. member:** Third.

**Mr. Drea:** Oh, the third. You're going to have to wait.

**Mr. Peterson:** What was the first again?

**Mr. Drea:** About nine minutes. We have a time limit tonight. About nine minutes.

**Mr. Breithaupt:** Nine to nothing, that is the score.

**Mr. Drea:** Mr. Speaker, I want to talk about the impact of the Supreme Court decision and the alternatives the province had after Thanksgiving Day, after the speech of the Prime Minister of this country—

**Mr. Good:** Tell us about the Supreme Court.

[9:45]

**Mr. Drea:** Mr. Speaker, I would suggest to you that when the Prime Minister of this country obtains television time and when he goes on and talks, whether we like the Prime Minister or not, we must respect the office.

Interjections.

**Mr. Roy:** We are for that, Frank.

**Mr. Drea:** When he goes on and talks about the emerging problems of inflation and the things that he considers have to be done—

**Mr. Roy:** That makes it an emergency, eh?

**Mr. Drea:** —and quite frankly he offers probably no solutions except short-term, an experimental thing; it will go on. I suggest to you, Mr. Speaker, the obligation is upon the province not to stand up and to say that we want to take this through our Legislature; that we want to take this through this or that or the other thing.

**Mr. Roy:** Did Joe Clark get equal time?

**Mr. Drea:** I suggest to you one of the things that the Treasurer of this province (Mr. McKeough) said in this House; if we were talking about World War II, did we talk about conscription or a war effort among 10 provinces or did we talk about one more effort and and one conscription?

Interjections.

**Mr. Drea:** I suggest to you, Mr. Speaker, that the war against inflation, while it may not be as glamorous, it may not be as exciting, and the declarations may not be as great, it is—

**Mr. Conway:** But you are though.

**Mr. Drea:** —just as exacting a toll and a sacrifice upon people of this country as is a war. Because you see, Mr. Speaker, there is—

**Mr. Peterson:** Are you advocating another world war, Frank? Is that your point?

**Mr. Drea:** No, it is not. No, the member can't understand that because he is so dedicated to a phoney equality that he doesn't even know.

**Mr. Lewis:** Oh, come on.

**Mr. Renwick:** Utter nonsense.

**Mr. Peterson:** All Tories.

**Mr. Drea:** It's an exacting toll because those who profit by inflation—a great number of people do; probably about 40 per cent of the people profit by inflation, probably about 40 per cent of the people don't profit and another 20 per cent—Okay, even the economists really don't know. Certainly inflation has been with the western world for almost 50 years to produce some very horrendous results in some places; it has been livable with in

others. But certainly, when there is a national effort declared there is an obligation upon the provinces to make a fundamental choice; either they can sabotage that national effort by delaying and refusing to go in, or they can co-operate and according to their best advice they can enter into the agreement.

I suggest to you, Mr. Speaker, rather than the procedures by which this province went into the national anti-inflation programme being a matter of incompetency, they were a matter of provincial self-sacrifice on behalf of a national cause. It is all very well, as I said before, to say that it really wasn't an emergency. How many, Mr. Speaker—and I ask you to look into your own soul—how many were there last Oct. 13 on Thanksgiving Day who saw that television address who weren't moved by it and didn't feel that there was a time come for a national purpose? I suggest to you that is why this province entered into that particular type of agreement.

I want to say to you, Mr. Speaker, that this province entered into that agreement very honourably and very equitably. It was to pertain to all.

**Mr. Roy:** But it was against the law.

**Mrs. Campbell:** It was illegal.

**Mr. Drea:** When I come to the third part—I am really very sorry about the fact that certain people up in the gallery today were discriminated against. I feel very badly against that. I don't think that anybody in this House, other than a dollar-a-minute man from Hamilton West, ever thought about that one. But I want to say to you the intent was there, Mr. Speaker; the intent was there for national purpose.

**Mr. Conway:** Dollar-a-minute Frank.

**Mr. Drea:** I want to come to the third part.

Interjection.

**Mr. Drea:** I want to come to the point now that the courts have decided as best as they will that the legislation by this province is invalid.

**Mrs. Campbell:** They didn't. There was no legislation.

**Mr. Drea:** You have two dichotomies involved. First of all you have the issue of retroactivity. I regard retroactivity as the most serious issue in this particular case since everybody really knew under that the

ground rules they were going through that retroactivity in this case really is a confirmation. I am not playing on words. I really think it is a confirmation. The second thing is that everybody in this province is treated equally.

Interjection.

**Mr. Drea:** When I get to that point, Mr. Speaker, I want to apologize to the people in the gallery over my head.

Interjection.

**Mr. Drea:** I think they were abused most unfairly today by somebody who wanted to achieve his own political end.

**Mr. Breithaupt:** Poppycock.

**Mr. Drea:** Mr. Speaker, I have been here when the teachers of Ontario—whether it was the OSSTF or whether it was the elementary school teachers or the separate school teachers or what have you—may not have always agreed with me or this government. Certainly they didn't always agree with the Leader of the Opposition (Mr. Lewis); they booed him some nights. But never, Mr. Speaker, did honourable people in this House call them despicable or their remarks despicable, never. Mr. Speaker, I want to draw to your attention—and I would certainly hope there would be some apologies tomorrow on behalf of the Liberal Party; maybe their House leader could make them, he is very good at mouthing off.

Interjection.

**Mr. Drea:** Maybe page H-1545-3, the despicable remark, could be removed.

**Mr. Lewis:** The House leader of the Liberal Party mouths off?

**Mr. Drea:** He is always saying something; but he was also the man who apparently didn't tell anybody that we weren't meeting at 10 o'clock this morning.

**Mr. Roy:** That's terrible, Frank. I think you should take it to cabinet.

**Mr. Drea:** And, Mr. Speaker, could we go to 1550-2? I think there's the word despicable in both those remarks. I would suggest to you, Mr. Speaker, that while those words refer to people who are not members, and I suppose in the ordinary term they are outside the rules of respect in this House, that certainly they were directed at people in the gallery who are our guests. I would cer-



tainly hope that somebody draws it to your attention tomorrow—

**Mr. Breithaupt:** Why don't you stick to the bill and not to a press release.

**Mr. Drea:** —and I would certainly hope that those remarks would be withdrawn.

The remarks may have been intemperate. Perhaps they may have been a little bit too much, perhaps they may have been a little bit too little, I don't know; but certainly when you are going to take on people in this province who have acted honourably and well, and then suggest that their remarks are despicable, really—

**Mr. Conway:** Who wrote it? Who wrote that, Idi Amin?

**Mr. Drea:** Look, I didn't write his speech; you elected him. You did it on TV, buddy, you can't even get away from it.

**Mr. Breithaupt:** And we are glad we did.

Interjections.

**Mr. Lewis:** A point of privilege.

**Mr. Deputy Speaker:** A point of privilege, the hon. member for Scarborough West.

**Mr. Lewis:** Just as a member who wishes to understand some of the terminology, could the member for Scarborough Centre explain, (a) the meaning of "dollar-a-minute man"; and (b)—

**Mr. Deputy Speaker:** That's not a point of privilege.

**Mr. Lewis:** —and (b), the meaning of "bunny". Is that not what you called the member for Renfrew North? Oh "funny"; ah.

**Mr. Deputy Speaker:** The hon. member for Scarborough Centre has the floor.

**Mr. Drea:** Certainly, Mr. Speaker, since you have ruled against dollar-a-minute man, I certainly wouldn't want to explain it. I think it's a common term in OHIP that when you go to a psychiatrist it is usually 15 minutes for \$15. I think if you divide one by one—

**Mr. Peterson:** They must charge you more than that.

**Mr. Drea:** You knew that before I did it.

Interjections.

**Mr. Deputy Speaker:** The hon. member for Scarborough Centre may continue, hopefully uninterrupted.

**Mr. Lewis:** Three times a week and in about four years you should make it.

**Mr. Drea:** Well, I think you and I agreed one time we should punch somebody's ticket —well we won't go into that.

**Mr. Peterson:** On a point of order, what's the joke about punching somebody's ticket?

**Mr. Drea:** Mr. Speaker, I want to come to the third part of my remarks, which I believe—

Interjections.

**Mr. Drea:** Well in view of the fact, my friend, that I bailed you out when you made some intemperate remarks before a committee and kept you from going somewhere else, I don't think those remarks are very adequate tonight. Maybe I could revive those remarks and we will see where you go. I don't want to delay things too much longer, I want to come to the third part.

Interjections.

**Mr. Drea:** I want to deal with the impact of the new role of the Supreme Court of Ontario upon the social and economic conditions in this country.

**Mr. Roy:** It's the Supreme Court of Canada.

**Mr. Drea:** Mr. Speaker, beforehand I want to read to you about 12 lines, and I agree with you they are 12 lines, because some of the yo-yos over there will object; just 12 lines. I want to read it out of the Globe and Mail of yesterday, Tuesday, July 13. It is their lead editorial:

#### ON THE GROUNDS OF EMERGENCY

The judges of the Supreme Court of Canada live in Canada. It cannot have escaped their notice that if their judgement directed them to find the Anti-Inflation Act invalid because it had not been passed to deal with a national emergency, then they would unquestionably plunge the country into a national emergency. The place would have been in chaos, with unions rushing to claim wage increases that the legislation had denied them, and companies rushing to raise prices to heights where the legislation had said they could not go.

It would have been an impractical situation if the court had overturned the Anti-Inflation Act.

I really believe I have read that in context. I'm not taking it out of context, one sentence

or another. I really think that the Globe and Mail of Tuesday has focused in on a new and significant provincial problem. It may very well be that the Supreme Court of Canada is a national body but nonetheless it has great impact upon this province.

I realize it is very fashionable by those who are legalists and who are the lawyers to say that the Supreme Court is absolute. I can recall not more than five or six years ago, when the Supreme Court of Canada in this country, in a very decided judgement, ruled in favour of a company that fired somebody because he cohabited with a native in the north. That native in the north happened to be an Eskimo who was a stewardess on an airplane and the man was employed at that time upon the DEW line in Canada. With all the solemnity and all the pomp that is associated with the courts, they brought down that decision. I'm sure, knowing very well a great number of people's opinions on this matter, at that time it was suggested that perhaps the Supreme Court needed an overhaul and that perhaps it should be dragged into the 20th century.

**Mr. Roy:** They got bad legal advice.

**Mr. Drea:** I am suggesting now that I really think the time has come. There really isn't any room in this country for a group, no matter how sacrosanct, no matter how tradition-minded, to be able to sit in judgement upon what goes on in the provinces or in the country without any responsibility to the people.

**Mr. Roy:** Oh, here we go!

**Mr. Drea:** I suggest to you, Mr. Speaker, that the time has come in a participatory democracy that has been the example for the world for more than a century, perhaps to make the courts more responsible to the people. Perhaps the time has come that responsibility means election.

**Mr. Breithaupt:** No, judges aren't elected, they are defeated.

**Mr. Drea:** I know that to lawyers election of a judge is horrendous. But, Mr. Speaker, after all you are elected and you don't regard it as horrendous. You don't regard having to go out to the people and justify what you have done as exactly the end of the world, nor does anybody in this House.

**Mr. Sweeney:** The Supreme Court isn't elected anyway.

**Mr. Drea:** I suggest to you, Mr. Speaker, that the time has come when a body of people, a body of faceless people—

**Mr. Breithaupt:** This is disastrous.

**Mr. Warner:** What do you mean by faceless?

**Mr. Lewis:** They may be throwbacks, but they are not faceless.

**Mr. Drea:** —a body of people who are appointed and who have no responsibility to the public whatsoever—

**Mr. Sweeney:** This is treasonous.

Interjections.

**Mr. Lawlor:** I'm sure they would appreciate that.

**Mr. Drea:** Who said it's treasonous? Really!

**Mr. Sweeney:** This country is ruled by the rule of law.

**Mr. Drea:** If the member for Kitchener-Wilmot (Mr. Sweeney) would exercise some self-control sometimes, he wouldn't say things like that. What really makes a court that is going to make substantial social and economic impact upon all the citizens of Canada so sacrosanct that it doesn't have to answer to them?

[10:00]

**Mr. Martel:** He's in contempt.

**Mr. Drea:** No, I'm not. I'm being very careful.

**Hon. Mr. Handleman:** When you do it you call it reform.

**Mr. Drea:** I am being very careful. I suggest that. I'm not suggesting it's going to come in a day, a week or a year; neither did the people who wanted medicare in this country or public schools or a great number of social reforms. It didn't come in a week, a month or a year. It was an idea. I suggest that when nine people, of whom two apparently didn't even know inflation was an emergency, perhaps, Mr. Speaker, with the deepest respect for your office and for the court—because I know full well what they're going to do tomorrow—I think, on behalf of the ordinary people in this country that the time has come to take a very new look at an institution which is developing into an equal partner with the Legislature in developing the social and the economic impacts upon this country.



Mr. Speaker, in summary, having said that—

Mr. Lewis: What about the radio programme?

Mr. Drea: The radio programme? All right, okay. I had to listen to you for an hour. Mr. Speaker, let me explain it.

Mr. Lewis: Why didn't you turn off your radio?

Mr. Drea: I couldn't because that lawyer came on. I had never listened to a radio programme before and you were so sanctimonious I couldn't turn mine off.

Mr. Lewis: He was a Tory lawyer. That was Bill MacDonald from King.

Mr. Drea: Mr. Speaker, I think there's an allergy between the radio programme I listened to today, in all fairness, and what I am saying tonight.

Mr. Lewis: An allergy?

Mr. Drea: Yes. As a matter of fact, the Leader of the Opposition was talking about the very privileged yet very delicate position of the Ombudsman in this province because he was appointed. He was to rule upon government and upon certain social impacts.

Mr. Haggerty: It's you against him now, Frank.

Mr. Drea: Mr. Speaker, I've been talking about the social and economic impact of the Supreme Court of Canada. I think the analogy is comparable.

Mr. Lewis: That's right and the Ombudsman is tied directly to that.

Mr. Drea: Yes. I think you will agree with me. There is an analogy there.

Mr. Lewis: Did you look at the budget he's asking for?

Mr. Drea: No, but the whole aspect of it—I've listened to it.

Mr. Roy: Mr. Speaker, I'd like to rise on a point of order.

Mr. Speaker: A point of order.

Mr. Roy: Mr. Speaker, with great respect, and I say this in all seriousness, I think the comments of the member border very much on being contemptuous of the Supreme Court of Canada. I say this with respect. I think, that being the case, the member should be restrained from making that kind of comment.

That court, Mr. Speaker, is not elected as he has suggested. Secondly, the decisions of the Supreme Court of Canada are final and I respectfully suggest to you, Mr. Speaker, that when a member refers or makes some allegations, as he has, it borders on being contemptuous of that court.

Mr. Peterson: What does the Attorney General think? What is his legal opinion on that?

Mr. Drea: Mr. Speaker, in defence of myself—

Mr. Speaker: Order, please. I'm sorry I haven't had the advantage of hearing the remarks but if we could get on with the debate and keep things a little more temperate I think this Legislature would be much better served. Thank you very much.

Mr. Lewis: Back to the Ombudsman.

Mr. Riddell: I've never heard a more convoluted argument in my whole life.

Mr. Drea: Mr. Speaker, all I want to say to you is that I have been very careful. You weren't in here. I have been very careful not to make any allegations.

Mr. Conway: You haven't said anything.

Mr. Drea: I am putting out the thrust of an idea. I suggest to you that somebody who is a solicitor and who likes the present system all too well has no right to criticize me for putting out the thrust of an idea. I would certainly hope that the House would uphold me. I have made no allegations about the courts.

Mr. Conway: You haven't had an idea since day one.

Mr. Drea: I have talked about the germ of an idea, Mr. Speaker. If you want to rule me out of order now, I suggest to you we were talking about an idea.

Mr. Peterson: A very creative thinker, too.

Mr. Speaker: Order, please. We are discussing a bill and we should keep our remarks to that. Thank you very much.

Mr. Conway: It is not a germ; it's a disease.

Mr. Lewis: That is what you meant about allergies.

Mr. Drea: Mr. Speaker, I was discussing the fact that there was an analogy between the remarks made by the Leader of the Opposition today, which I had the opportunity to hear on radio, about the question of the

Ombudsman. I wondered how you were going to get here at two o'clock because you kept rambling on but, nonetheless—

**Mr. Angus:** What happened to the Ombudsman?

**Mr. Drea:** I think the remarks made by the Leader of the Opposition are somewhat in support of the position that I have discussed.

Interjection.

**Mr. Drea:** No, not that one. But there is a point whereby government and the impact of government upon social and the economic well-being of the citizens has to be safeguarded and has to be watched. It is very easy to set up the safeguard and the watch in theory and on paper, but then you get into the difficulty of when you come to the day-to-day mechanism. I think he knows what I am talking about.

**Mr. Lawlor:** That is not the same—

**Mr. Drea:** It is very difficult, because every situation is somewhat difficult.

**Mr. Lawlor:** That is not sanctioning it, it is almost sensible.

**Mr. Conway:** You are impossible.

**Mr. Speaker:** Order, please.

**Mr. Drea:** I suggest to you, Mr. Speaker, that in the political arena in this country with this decision, and I am certainly prepared to regard it as a landmark or a hallmark decision by the Supreme Court, we have entered into a new era in political administration in this country.

**Mr. Martel:** In your usual arrogant fashion.

**Mr. Roy:** Are you suggesting you don't have to follow the law?

**Mr. Drea:** I suggest to you the province went into the agreement with the federal government with the most honourable and most dedicated intent.

**Mr. Sweeney:** The road to hell is paved with good intentions.

**Mr. Drea:** That we have been found wrong, I suggest to you, is not a mark against the Attorney General nor the Ministry of the Attorney General.

**Mr. Roy:** Then who was it a mark against? You don't think the government should follow that?

**Mr. Eakins:** How about the Treasurer?

**Mr. Speaker:** Order, please. Fewer interruptions would lead to a better debate.

**Mr. Drea:** I suggest to you the remedies that we have—

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Scarborough Centre has the floor.

**Mr. Lewis:** Despite everything that has been said about the Attorney General tonight, Mr. Speaker, I still have confidence in him.

**Mr. Drea:** Yes, well that's two of us.

**Mr. Speaker:** Will the hon. member for Scarborough Centre please continue the remarks on this bill? Thank you.

**Mr. Roy:** Do you think the government should follow along?

**Mr. Drea:** Mr. Speaker, the remedy for the inadequacies that the courts have found is in this bill.

**Mr. Bain:** Make Roy McMurtry a judge.

**Mr. Lewis:** They are going to appoint him to replace Chief Justice Laskin.

**Mr. Drea:** You know, I could say something but I am not going to border on the allegations they would like me to.

**Mr. Roy:** Go ahead.

**Mr. Drea:** That the remedies put forward are more than adequate. They are not an inequity nor an injustice upon anybody because everybody has been working under the ground rules, regardless of the fact that for the last three or four days, ever since the decision has come out, some people may or may not have had some false hope. But, finally, I suggest to you—

**Mr. Martel:** Good.

**Mr. Drea:** —where the very issue of provincial rights has been determined by something beyond our control, by an interpretation of a document that we did have some control on, which is the British North America Act—

**Mr. Roy:** No, no, they just said you had to follow the law.

**Mr. Speaker:** Order, please.

**Mr. Drea:** —by the fact that determinations upon the very social and economic fibre of this province have been made by someone beyond our control I would certainly and



hopefully suggest to the Attorney General and to the Premier—

**Mr. Lewis:** You think the Attorney General falls short? Do you think the Attorney General failed us?

**Mr. Speaker:** Order, please. The hon. member for Scarborough Centre should just continue his remarks.

**Mr. Drea:** I would certainly hope that when the time comes for repatriation of the constitution, which I think should be very shortly, hopefully, the time has come to really put the judiciary into a position where its social and economic impact upon this country will be recognized along with the impact of the legislative process in this country. After all, we have watched a country to the south of us where, through a couple of court decisions, their very social fabric has been destroyed and there is precious little that their Legislatures can do about it. Thank you, Mr. Speaker.

**Mr. Speaker:** The hon. member for St. George.

**Mrs. Campbell:** Mr. Speaker, I hope that I could get back to the principles of the bill and to the discussions which we have had in a very serious vein to this day. But I feel it incumbent upon me at this time to extend to the Attorney General of this province my sincerest sympathy that he had to sit through the discussions which we have had as to the Supreme Court of Canada. I notice that he's slumped deep in his chair, I presume to avoid the slings and arrows of the outrageous back bench of the party.

**Mr. Riddell:** Stick around and learn something, Frank.

**Mrs. Campbell:** Mr. Speaker, never has been more clearly demonstrated—

**Mr. Lewis:** You can speak again in committee, Frank.

**Mrs. Campbell:** —the need for a Supreme Court of Canada which is not thrown into the political ring, but which is able to adjudicate dispassionately on the matters which come before it, particularly as they relate to the constitutionality of governments, be they federal or provincial, in this land.

[We have seen really two elements of a debate here. One is the fact that, for whatever reason, the government took the wrong road last fall. There is no doubt—there can be no doubt in the minds even of the government members—that those speakers from this

Liberal caucus who pleaded with the government to follow constitutional patterns were right and they have been upheld.]

I trust sincerely that the government has learned from this and that tomorrow we will know that they have learned, because we will be dealing with the matter of the Ombudsman before this House dissolves. May I say, Mr. Speaker, that if they have not learned by now and if they try to make a decision about the Ombudsman in the absence of this sitting, then there is no hope for them and I for one will not align myself to support them for whatever reason. Let them show us they have learned their lesson.

As to the matters of the bill itself, it was interesting that the member for Scarborough Centre (Mr. Drea) made so eloquent a plea about the recognition of all in this House over the last three or four years of the emergency created by inflation in this country. But I listened this afternoon to the Treasurer and that isn't what he said and he wasn't a member of the Supreme Court. He said he found out about the need last fall. That's what he said, and he found about it because the Liberals had been pointing out their deep concern for months last year. And he found out about it when he found that the confidence of the electorate in this province has been rather severely shaken. Then he began to realize what was happening by way of inflation and that he would have to do something about it.

**Mr. Grossman:** We owe it all to the Liberals.

[10:15]

**Mrs. Campbell:** In the fall there is no doubt that if this province, this government, chose to act constitutionally and not arrogantly and not ignoring the rights of the people through the legislative assembly, they might have some tough problems, because certainly we felt that at that point, as has been said before, we should have a provincial board. But, nevertheless, I don't think there is any doubt at all within the final analysis there would have been in place appropriate legislation to control this issue. The member for Scarborough Centre said that the court found the legislation to be at fault. What the court found was the government needed legislation. So I think we can dismiss some of the arguments that were made by that member.

I do believe that there is a difference in the atmosphere today. When we discussed the matter, and tried to get the government to

enter into a debate, when we brought our want of confidence motion, it was unfortunate that we were entering into the Christmas season. The Leader of the Opposition (Mr. Lewis) wished everybody a Merry Christmas and supported the government.

Mr. Warner: And you said Happy Easter.

Mrs. Campbell: I suppose, as we approach Labour Day, we have a different kind of wish for the people of the province. But I could only assume that that is why there is a difference in the philosophical approach at this time.

Mr. Grossman: It's the Jewish New Year.

Mrs. Campbell: Oh, dear, I should have thought of that, I apologize. I didn't think of that.

Mr. Lewis: At least now I understand it too. My cultural roots come to fruition.

Mrs. Campbell: I don't think the AIB is perfect by any means. I have now had some very serious calls from those who are protesting, and I think justifiably, the increase in insurance premiums. I don't think it's perfect, and I am not totally satisfied with it. But I have to say that as I see it, there is no other route that you can go if you are going to be responsible to all of the people of this province.

I regret very much the fact that we have placed the teachers and the civil service in the position in which they find themselves because we did not believe that was the way to go. But I cannot understand how anyone who is responsible at all in this House at this time could not understand what would happen if we defeated this government on this particular bill and, goodness knows, I am sorely tempted, as I have been in the past. But what happens if we defeat them on this bill? Utter chaos. There is nothing in its place, nothing at all. People will be having a mish-mash of decisions which I cannot believe is in the best interests of all of the people of this province.

Mr. Martel: They will get their pay.

Mrs. Campbell: Yes, they will get their pay. I understand that. But I do believe that the same principles at this point in time must prevail for all people. I would trust that in the not-too-distant future we will see some very important amendments to this legislation which could give us even a greater sense of satisfaction than I personally have with it at this point.

Mr. Lewis: You don't really believe that do you? Do you really believe that?

Mrs. Campbell: I do believe that.

Mr. Lewis: That they will amend the bill?

Mrs. Campbell: Perhaps I am an optimist but I believe that that is the greater possibility at this point.

Mr. Lewis: Okay.

Mrs. Campbell: Mr. Speaker, I have said, I think, sufficient to indicate my position. I am really truly horrified at some of the things I've heard this evening and I trust that as we proceed with this debate, we may return to the quality of debate which did prevail earlier today. Thank you, Mr. Speaker.

Ms. Bryden: Mr. Speaker, I have a sense that history is being made here tonight.

Mr. Peterson: It is every minute.

Ms. Bryden: This debate and the fact that we are here in a special session marks the restoration of the rights of the Legislature to debate matters of law. It also marks the beginning of the end for a government whose hallmark has been a contempt for the parliamentary processes—

Mr. Conway: Hear that, Darcy?

Ms. Bryden: —and which has been caught out not once but twice in the last few months by the courts.

Mr. Speaker, we are opposing this bill on two main grounds. First, it is a bill which asks us to rubber stamp an illegal exercise of executive power. Unlike the present government which has little respect for the Legislature, we do not regard the Legislature as a rubber stamp.

We repeatedly asked the government to give the Legislature the opportunity to debate Ontario's anti-inflation programme during the fall session but were denied that right. Then, 48 hours before the Legislature met in special session in January, the government opted into the federal anti-inflation programme for its public sector employees without consulting the people's representatives in the Legislature on that decision. Had the Legislature been consulted, it is quite conceivable that the decision would have been radically different; or there might have been a different government.

There might have been a better answer to inflation. At any rate, that is the second reason we oppose this bill. We are being asked to approve an anti-inflation programme



which is iniquitous, unfair and a fraud. The government knows it is a fraud. It is not an effective attack on inflation.

On the part of the Trudeau government, it is a cynical attempt to provide a diversionary smokescreen to deflect attention from its mismanagement of the economy and its fiscal irresponsibility.

On the part of the Davis government, it is a sneaky way of getting off the hook when faced with the legitimate demands of the public sector employees in trying to close the gap between their wages and those of similar workers in the private sector—

**Mr. Conway:** Darcy, are you going to take that seriously?

**Ms. Bryden:** —between skilled professionals in the public services—

**Mr. Martel:** Are you going to yell at her, Darcy?

**Ms. Bryden:** —and doctors, lawyers and business executives in the private sector. The real reason for the province's haste to adopt this iniquitous programme, Mr. Speaker, is that it saw a slight move toward redistribution of income and it threw up the barricade.

Even back in December, we could see that the federal anti-inflation programme was not wage and price control but just wage control. In the first 5½ months of the AIB operation in Ontario, according to statistics prepared by the provincial Treasurer's department, 105 out of 121 contracts in Ontario were rolled back by 21 to 23 per cent. The price roll-backs were so negligible as not to require a table in the report, and there is no—

**Mr. Martel:** Friends of the Treasurer (Mr. McKeough).

**Ms. Bryden:** —identification as to what exactly happened in Ontario. There is a mention of an excess \$6,000 that Canada Starch gathered in and which it was giving back in some price adjustment. But that is the sort of laughable, small rollback that occurred in the price sector. There are so many exclusions in the price area that under no circumstances can we really say that we have price controls. Excluded are energy, interest rates, land, farm products, OHIP premiums—

**Mr. Martel:** Hydro.

**Ms. Bryden:** —Hydro and other government fees. By August, 1976, 65 per cent of the Canadian people, according to the Gallup poll, thought the controls were unfair. They could see what was happening; they could

see that price controls were mainly the filling out of forms—a rather costly charade.

So when the Ontario government brought this iniquitous and capricious and unfair programme in for its public sector employees by an illegal order in council, it was joining with the federal government in a gigantic sham—a phoney war on inflation. The real losers were the people who needed a real curb on inflation and on price increases—those on fixed incomes and the unorganized workers.

**Mr. Good:** Funny thing, but it is working.

**Ms. Bryden:** Any drop in the rate of inflation registered so far is mainly due to food price drops, which are not subject to controls and to other circumstances beyond the control of the AIB or the government.

Predictions are that when the recent and anticipated energy price increases work their way through the economy, the rate of inflation will start up again.

**Mr. Speaker,** our friends on the left say it would be irresponsible not to rubber stamp the government's illegal action. What would happen? Nothing drastic. The private sector would not be affected at all. Some public sector employees, who have been cut back below negotiated or arbitrated settlements, would get raises. But one could argue that in many cases they need those raises just to catch up, for justice, so that they do not subsidize the taxpayers. Since most public service employees are funded by the provincial government to some greater or lesser degree, the provincial government still has the means to limit future demands of these employees. But, of course, they don't want to have to take that responsibility. They want to pass the buck to Ottawa. If we don't rubber stamp this government's phoney inflation programme, Mr. Speaker, it should make them hurry up to bring in a proper anti-inflation programme.

The provincial Treasurer asked for constructive suggestions of what could be done. I have a few ideas, but I won't take the time to spell them out in detail. We have discussed many of them on other occasions, and he won't like them.

**Mr. Speaker:** I understand the hon. member has a few more remarks to make.

**Ms. Bryden:** About five minutes, Mr. Speaker.

**Mr. Speaker:** Well, perhaps you would like to adjourn the debate for this evening and—

**Mr. Breithaupt:** We are certainly prepared to agree to allow the hon. member to finish her remarks.

**Mr. Speaker:** Do we have the permission of the House to have the hon. member complete her remarks? I understand they are very brief.

**Hon. Mr. McKeough:** No.

**Mr. Speaker:** Is it agreed?

**Mr. Martel:** If the Treasurer tries it, it will be the last time he will get an agreement from us.

**Mr. Speaker:** Order, please. The hon. member for Beaches-Woodbine will continue.

**Mr. Martel:** You will never get an agreement—

**Mr. Speaker:** Order, please.

**Mr. Lewis:** You had a no from the Treasurer.

**Mr. Speaker:** Order, please. I did not have a no.

**Ms. Bryden:** I will just put forth my few suggested areas where the provincial Treasurer has room for actions which might affect the inflationary situation. But he won't like my suggestions, because they don't fit in with his antiquated private enterprise philosophy.

**Mr. Conway:** Let's make him Q.C.

[10:30]

**Ms. Bryden:** A true anti-inflation programme requires economic planning to increase our productivity, our efficiency, our job supply, to use our excess capacities, to allocate our resources efficiently. The day of laissez faire is past. Private enterprise has failed to solve either our unemployment situation or our inflationary situation, but the provincial Treasurer's childlike faith in the private-enterprise system prevents him from engaging in any government leadership of the economy. As a result, we have 238,000 unemployed in June of this year, a rate of unemployment of 6.3 per cent which would have been considered a disaster two years ago.

One of the areas in which he might take action is in energy prices, one of the biggest elements in our cost of living. A four to five per cent increase in gasoline is scheduled for August. He could freeze oil and gasoline prices until the oil companies prove that they need any extra profits. I think it would take them quite a long time to do that because

their profits have been astronomical. He could urge Hydro to smooth out the proposed increases.

**Hon. Mr. McKeough:** We asked the member for York South (Mr. MacDonald) to do that.

**Ms. Bryden:** I understand that is predicted to go down, after the 32 per cent increase next year, to 15 and then eight. That could be smoothed out and perhaps the inflationary situation would not be as great.

**Hon. Mr. McKeough:** Why didn't your seatmate recommend that?

**Ms. Bryden:** He has already issued a press release to that effect.

Interjections.

**Mr. Speaker:** The hon. member for Beaches-Woodbine only, please. Thank you.

**Ms. Bryden:** The second area is housing prices. Obviously this is a large inflationary element. The government has the means to check soaring housing prices. We have gone into many ways. They could bring down interest rates. They could bring down lot prices. They could take the capital gain out of land. It is predicted there's \$20,000 profit being made on lots in Toronto these days.

They could take auto insurance rates down—we have told them many times how—by a public insurance programme. The Treasurer could reduce his own charges on the people of this province. A 45 per cent increase in OHIP premiums is very inflationary because it hits the average wage earner and it generates demands for wage increases to offset it. If medicare was financed by ability to pay taxes, it would not be as inflationary. It could cut into profits.

And finally, profits. The supermarket industry is reported to be charging four to five per cent extra because of the way they concentrate and integrate the industry, and ring the cash register and the profit goes on at every stage. The auto industry is making an exorbitant return on investment. The resources industries are paying very little taxes. If all of these were properly taxed and price rollbacks provided in areas where they are taking excess profits, there would be a real cut in the cost of living and a real cut in the taxes that the ordinary individual is paying.

In conclusion, Mr. Speaker, I just want to point out that the Globe and Mail the other day had a study of who is gaining from the present inflationary situation. It showed that



from 1970 to 1975, while gross national income went up 25.6 per cent, corporation profits, after taxes, had gone up 54.8 per cent and personal disposable income only 42.2 per cent.

Mr. Haggerty moved the adjournment of the debate.

Motion agreed to.

**Hon. Mr. McMurtry:** Mr. Speaker, I understand that the debate on Bill 127 will resume tomorrow at 10 o'clock.

Hon. Mr. McMurtry moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 p.m.

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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Thursday, July 15, 1976

Morning Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, JULY 15, 1976

The House met at 10 a.m.

Prayers.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 10th order, resuming the adjourned debate on the motion for second reading of Bill 127, An Act to ratify the entering into of an Agreement under the Anti-Inflation Act (Canada).

## ANTI-INFLATION AGREEMENT ACT (concluded)

**Mr. Haggerty:** I rise to enter the debate on second reading of Bill 127, An Act to ratify the entering into of an Agreement under the Anti-Inflation Act (Canada). The bill before the Legislature would not be necessary at this time if the Conservative government had listened instead of having a Treasurer (Mr. McKeough) who is so arrogant that he is always right and never wrong. No doubt the Premier (Mr. Davis) is obviously embarrassed by having to face the court decisions that have reversed cabinet decisions or orders in council on two occasions—one on the closing of a number of hospitals, nine I believe—the latest having been slapped down by the Supreme Court of Canada.

The Ontario government was wrong to impose federal wage and price controls provincially without the consent of the Legislature. Nine Supreme Court judges unanimously ruled against the provincial government. But the most important matter is that the court upheld the federal government's anti-inflation programme on income guidelines and price guidelines for the next three years.

Both opposition leaders questioned the government's motives last fall. The then leader of the Liberal Party, Robert Nixon, directed a question on Oct. 30, 1975. He asked why the government is not prepared to do in the Province of Ontario, beyond the marginal qualifications the Treasurer stated, what has been done in the Province of British Columbia in order to protect wage earners from excessive price increases. Most important, he advised the government that it was their responsibility to bring forth legislation by intro-

duction of an Act to be debated and voted on by the Legislature which is totally responsible for administering the province's affairs by an Act of this Parliament.

Also he said that we as Liberals support the measures of the federal government to control inflation and he tried to encourage the Conservative government to move in this direction of provincial responsibility similarly to British Columbia and Quebec.

The Liberal leader yesterday expressed the views that as provincial Liberals we are deeply concerned about the human social problems that are created by the high inflation that has been present, and more so in the last five years. He said we are concerned about the people who are on fixed incomes, the pensioners, the disabled, the unemployed, those who do not belong to unions, and those whose incomes have been seriously affected and who have less buying power.

I'm deeply concerned about the position taken by the NDP. It is a charade and shows shallowness in opposing the anti-inflation programme which we in Canada have already benefited by, perhaps not in too large a degree as yet, but noticeably in the consumer price index of just recently. If this continues, the controls will be removed that much sooner. In the United States the consumer price index has steadily increased almost to a point where the government will be looking for new measures to control inflation.

The NDP have shown an about-face in coming to grips with the problem of the anti-inflation programme. The leader of the NDP in his Throne speech of Nov. 3, 1975, is worth quoting. He said:

**There isn't a political party in this House that doesn't want to face inflation frontally. I'm perfectly willing to admit that even our sister New Democratic provinces in western Canada are at sixes and sevens about the extent to which they should encourage the guidelines or respond to the guidelines. It's entirely possible that British Columbia, Saskatchewan and Manitoba, while expressing more profound reservations than Ontario will ever express, will not resist the federal application of the federal law in a frontal fashion because they understand the political realities as well. I concede that. The political reality that everyone in this country wants some response to the question of inflation.**

The then Liberal leader at that time introduced an amendment that this House regrets

the failure of the government to accept its responsibilities to provide for the direct administration of the federal wage and price controls, which was not supported by the NDP, but backed the government.

It's interesting to continue with the quotes from Hansard. The House leader of the NDP spoke on Dec. 18, 1975. I'm sure the member for Ottawa East (Mr. Roy) touched on it yesterday but it is worthwhile repeating. The member for Wentworth (Mr. Deans) goes on to say:

I want to say I think that the people of Ontario are being better served now by this Legislature than they have been in modern history—and I think there's a lot yet to be done. I think the Legislature deserves the opportunity to do the kinds of things that will benefit so many people right across the province.

What we have been able to do, over the last five or six weeks, is only an indication of what can be done by people who are committed, who understand the problems and who are not afraid to take positions and to fight for what they believe is right. This isn't the time for posturing. This isn't a time for petty political games. This isn't the time for one-upmanship. [I don't know what that means but it's there.] This is a time for common sense.

We are dealing with a Legislature that not only can but does produce legislation that is worthwhile. We like to think that we can participate in that. We like to think that over the course of the next few months we will be able to take part in the electoral process of the Province of Ontario, but only after every single avenue has been exhausted in terms of trying to find the solution to the many problems that confront the people that I represent—that confront the people that most members here represent.

So, it is for that reason that we cannot support the Liberal amendment. It is not because the Liberal amendment in itself is wrong. It is not because what they are asking for is wrong. It is not because of that at all. It is because we have to understand that this Legislature has a lot of work yet to be done.

Listening to the debates yesterday, and particularly to the NDP, I would suggest that that is political posturing, which they are continuing with at the present time. There is no doubt about it—union leaders are opposed to the wage and price controls. I can readily see why. In their position as the bargaining leaders or representing people at the bargaining table, if you are going to have controls set at eight per cent, 12 per cent, or 14 per cent, well then, who needs a union? I would be concerned about my job too.

I am not quite satisfied about the Treasurer's statement where he said that if there are large profits to be made, then we will apply a surtax on to that. Well, that's not fair taxation either, because what he is saying is let the industries or the businesses go out and gouge the consumer, and we will put another tax on; they won't feather their nests again. Of course, we know what is happening in Ontario—the leadership of the present Treas-

urer has brought many of the problems of inflation to the people of the province of Ontario.

There are a number of inequities in the measures to control inflation. I would like to quote some of the comments that I made some two years ago concerning the matter of inflation, when I was critical of the profit that the oil companies were making in Canada and perhaps throughout the United States. I said it was manufactured by a consortium of oil companies, the multinational corporations. I was quoting from a Royal Bank of Canada Newsletter. Too often I don't agree with the Prime Minister of Canada, but in this particular instance where he has brought in controls to fight inflation, I have to agree with him.

I want to quote what I said then concerning the vice-president of the Royal Bank of Canada. He said:

Applying to business this principle of the basic need to survive, the deputy chairman and the executive vice-president of this bank said to the Canada-United Kingdom Chamber of Commerce in London in May, "Profit is an essential condition for the survival and growth of an enterprise. Profit is also, of course, the required incentive and reward to the providers of capital. Profit is also the most effective measure of an enterprise operation." Then he went on to speak of the second obligation: "If corporations are not seen to act, as they do not in fact act, in a socially responsible manner, then long-term survival can be threatened."

I think the Prime Minister of Canada has made a similar statement to that, that there are difficulties in Canada in the economic field, and if we perhaps don't mend our ways our country is heading into difficulty.

Then the bank vice-president goes on to say in another paragraph:

We are fast reaching the point where the social and political climate almost everywhere in the world will make it increasingly necessary for businesses to justify their existence on grounds other than purely economic success expressed in terms of profit.

I think that's a comment that needs quite a bit of discussion. I think what he is indicating there is that where you have companies or corporations that are making a large profit, they must justify that profit.

There are a number of inequities in the anti-inflation programme, and you can go back and relate to the oil industry and to oil



prices in Canada, where the companies have been given certain tax concessions over the years but they have also reaped a huge profit. You can relate it today to the problem that while the profit is just as great now, perhaps higher than it was two or three years ago, the industry is not putting it back into exploration.

We should learn our example from the United States. They pulled the same stunt or the same trick before the government of the United States took action some 10 years ago. We seem to follow in that sequence, that they are going to reap a huge profit here in Canada at the expense of the consumers. When I look at the profits that the consortium of oil companies is making today, I would suggest that the government should move in a direction to see that they can justify their profits.

[10:15]

I'm not against the corporation making a reasonable profit but it would seem that they can go out and gouge the public and I can sense this with the oil industry. I think government must move in some direction, perhaps with stronger terms, to see that they can justify their profits.

For this reason, Mr. Speaker, I support the bill before us today with the retroactive legislation. Without it, there would be chaos; a breakdown in our society; confrontation on the streets; a disaster; a loss of integrity; and respect for authority will be lost in Canada and in Ontario.

Mr. Shore: Mr. Speaker, I rise to discuss this subject and put forward a few comments to the House. I speak with some reservation because there is not a clear black and white situation in this matter. On the one hand, I have reservations, personally, on the whole concept of any type of control. I really do. On the other hand, I think I do not want to spend a great deal of time discussing history at this time. Many of the members from all parties have discussed that and I think we would be best served and better served if we just used history, particularly recent history, as a lesson and guideline for the future.

I believe it would be interesting, before I get into some of my specific comments, to say I hope that the government has learned a good lesson through this process. Probably more important even than wage and price controls is the concept of bringing back confidence in this Legislature. I truly believe that if that is failing, any benefits which may accrue from wage and price controls are

secondary to what the purpose of this Legislature is.

I would also like to say that the hon. Attorney General (Mr. McMurtry) has been criticized substantially for getting wrong and bad legal advice, both from his advisers and, sometimes, even from himself. I'm sorry to see the Treasurer (Mr. McKeough) leave because I wish to reconfirm what I believe—that the legal advice the Attorney General received was not from any lawyers but probably from the Treasurer of Ontario.

Mr. Ruston: Probably right there, too.

Mr. Shore: Maybe there is even some argument that the Treasurer is more capable of giving legal advice than financial advice; I don't know.

Mr. Ruston: The way his deficits are, he should start giving legal advice.

Mr. Shore: At any rate, one gets what one pays for, as the old saying goes.

Mr. Sweeney: They didn't get much.

Mr. Shore: Quite seriously, I believe we should be moving forward from today, recognizing the things we should have learned, not only the economic lessons but the political lessons and I have confidence that maybe we will. I think the future really is the test and I am going to be listening with great pride and great interest to what the leader of the official opposition is going to have to say on this subject, if he is going to show up to speak. I was also hoping that I could listen with great interest to what the 15 to 18 teachers in the NDP party may have to say on this subject but apparently in drawing the lots they lost them all, assuming their names went into the ring.

At any rate, it will be nice to hear the side effects of their talking.

Mr. Renwick: Are you speaking for the Chamber of Commerce?

Mr. Shore: I'm speaking, as you are, for the people of Ontario. The only difference is I have not got the wisdom that you have to know what's going to happen in the future. You're much greater than I am, Jimmy, and I respect that.

Mr. Ruston: I think I would differ with that.

Mr. Speaker: Order, please. Would the hon. member—please!

**Mr. Shore:** I don't wish, Mr. Speaker, today—sorry.

**Mr. Speaker:** May I just point out that you do not refer to a member by his name? If you could stick to the principle of the bill, I think the proceedings would go along much more smoothly. Thank you very much.

**Mr. Shore:** Thank you, Mr. Speaker, I appreciate those comments. The hon. member for Riverdale (Mr. Renwick) represents so many people that he can't keep the figure in mind.

**An hon. member:** He doesn't give me anything.

**Mr. Shore:** However, I think the issue is not whether the case was won 7 to 2 or 9 to 0 or anything like that. The issue should be, have we learned anything by it; can we do anything about it?

**Mr. Renwick:** That's a good question to put to your party.

**Mr. Shore:** Did I wake you up a little bit there?

**Mr. Moffatt:** There's nothing like a ludicrous statement to wake us up.

**Mr. Shore:** Right. I believe that, equally as much as it is important to reconfirm what has been done to date for the benefit of Ontario and the benefit of Canada, I think it is also important that we do something—not just the Province of Ontario but this Legislature and this government, do something to try to plan intelligently the move toward when there will be no controls, because I am convinced totally that controls, albeit as necessary as they may have been and albeit maybe a freeze of some kind would have been better, in the long run for the people of this province and the people of this country, controls of any kind are not the answer. Solving problems is the answer.

I would suggest if the Treasurer really wants to use his talents, and the ministry and the government, and I believe they should and would, then their thrust should be in that direction. It reminds me of when I asked the question back in October, November and December: "What are we going to do about it? Do we know what we are getting into?" and the answer of the Treasurer was: "I will not buy a pig in a poke." Well, to this day he may have bought a pig in a poke. That was the time to negotiate. It is not too late, but that was the time

to negotiate what he truly believed was the right way for Canada to go. I have confidence that the government of Canada, or if not them then certainly the government of Ontario, had enough thrust and enough guts and enough power that they could have put before the government of Canada some of the direction that this machinery should take. You don't put your thrust in after you have signed the piece of paper, you do it before you have signed it. Your negotiating powers have ceased to a great extent.

At the same time we are there and I think it is the right decision, but let's not quit. This is the time for the Treasurer and all his colleagues and all his resource people and all the resources of this Legislature to try to convince and work with the government of Canada to come up with a plan to show the long-run effect for these people are not good and therefore to come up with a plan to show for the labour people, for the working people, for the industry, that it is not the best avenue, and let's try to correct it.

Just putting it on and forgetting about it is not the answer, because we are going to wake up the same as on rent controls on Aug. 1, 1977, and what have we got?—\$13 million for rent controls. The Minister of Consumer and Commercial Relations (Mr. Handleman) is proud to state that we saved \$2 million. I don't even know where he got that figure, but what I do know is that we will have spent \$13 million.

I would like to continue. To me, the issue is the future. I believe there are two lines of thinking. If labour, government and everybody else is unhappy, some people will then think that something is working. I believe that the way we really know whether something is working and productive is when people are satisfied with it. I would like to wake up, I would like Ontario to wake up, I would like Canada to wake up. Where is our backbone, in my opinion? Why were we successful over many years with individual initiative and hard work and sacrifices? Why were we proud to say we did it on our own? Why were we proud to say that we helped those who needed help? Why were we proud to say that we turned a profit? In the eyes of many people today—the socialist people over there I can understand, but in many other people's eyes—you have to go in the bathroom to use the word "profit." Why?

**Mr. Germa:** That's a dirty word.

**Mr. Shore:** I ask you why? Why should we be afraid to take a risk and be successful? Why should we not have the fruits of that



risk? There is something wrong. We have controls in now, Mr. Speaker, and we have seven per cent unemployment, we have double digit inflation. The controls are not going to solve the problem. Let's get away from that area. Why have we the deficits that we have? I say to you, Mr. Speaker, let's get back to what we really believe in. Let's get back to where we discourage work—or not discourage work, rather. Excuse me; I knew you would find that hilarious.

**Mr. Eakins:** You were speaking to the boys over there.

**Mr. Shore:** Let's get back to where we encourage work, not discourage it. Let's get back to where we encourage investment in talents and resources. Let's get back to where we encourage profit, not discourage it. Let's get back to where we encourage efficiency and not inefficiency.

**Mr. Germa:** Who wrote that?

**Mr. Shore:** We can do that. I say to you, Mr. Speaker, that if we don't then we will have a serious problem. One doesn't have to be brilliant to recognize many industries are in trouble; and I am not talking just thousands and thousands. I was at a rent review hearing the other day as a spectator—and I would be glad to go for any other reason, too, incidentally; I am not going to stand here and be ashamed to be an owner, never. I was there as a spectator and do you know what I saw, Mr. Speaker? I saw a man who belongs to a labour union, God bless him, and who owns 10 rental units. I sat there and I couldn't believe what I was seeing in Ontario. This man had saved up \$15,000 or \$20,000 and invested it in housing and was begging for the rent that he was asking for the units. I say to you, Mr. Speaker, there's something wrong.

I was at a meeting last week in London, Ontario, with some owners, some landlords, some investors—85 to 100 people. They weren't the Cadillac-size developers. Of the 100 people who were there, 75 of them were people who either own a duplex or a 10-, 20- or 50-unit building. They were people who had worked and saved. They were there because they had legitimate complaints. When are we going to wake up? I tell you, Mr. Speaker, you don't have to be a genius, you don't have to be the Treasurer of Ontario, you don't have to be the Premier of Ontario to know people are leaving Ontario today by the hundreds. People in business say: "I

have got to get out of here." They are going to other parts of Canada.

**Mr. Mackenzie:** Malarkey.

**Ms. Gigantes:** Saskatchewan? Manitoba?

**Mr. Shore:** Worse than that—Are you having a good time?

**Mr. Mackenzie:** Malarkey.

**Mr. Shore:** Worse than that, it is not just who is leaving, it is who is not coming. Let's get them back. We have got the greatest province there is. We have got the greatest country there is, Mr. Speaker, let's not lose it.

**Mr. Mackenzie:** How about Manitoba and Saskatchewan?

**Hon. Mr. Bernier:** Good government.

**Mr. Shore:** It's this body sitting here today that can make that decision. Let's not get carried away with just emotions. Let's make decisions on intelligent assessment. Thank you very much.

**Mr. Nixon:** I always enjoy listening to the debates in the House at any time, but I particularly enjoy hearing my colleague, the member for London South (Mr. Shore). He adds a certain something to the tenor of the debate which is valuable—

**Ms. Gigantes:** Vacuousness.

**Mr. Nixon:** —and very clear-minded.

**Mr. Moffatt:** Tone.

**Mr. Nixon:** But, Mr. Speaker, his comments have prompted me to begin my remarks, if I may, with a very strong personal view that I hold. I have heard many people, not so much in this debate, but in the recent session of the Legislature, talk about the very serious problems we face in this province and in this nation. It is true that they are serious and there are many of them, but I am sure that if we are prepared to examine our life in this province and in this nation, we must realize we have never ever lived in better times, that we do not have the emergencies and the pressures on us, as individuals or as legislators, which have been very much a part of the work of this chamber in years gone by. We don't even know what a real depression is like—most of us my age and younger and that includes just about everybody. We really don't know what it is to have to go away to war and face the family disruptions and commitments of that type.

[10:30]

When I think of the work which has gone on before, we are really living in a land of milk and honey such as has never been seen. When the greatest problem is whether the athletes from Taiwan are going to march under the flag of Nationalist China or the United Nations, we must realize that while the political problems we face are knotty and difficult still our people, including all of us, have never lived better. It is not by way of a political phrase—have you ever had it so good—it is something better than that and we must surely realize and appreciate that very thing. The credit goes to no politicians, no governments. The credit goes really to the work which has been done by the pioneers, the political pioneers, and others before us. Here we are in what I call the land of milk and honey, picking the fruit from the trees and having not just the time of our lives but probably the time of many lives.

If you don't appreciate that, Mr. Speaker, there's nothing I can do to help you. I am not really talking as a senior statesman or anything like that but it is a view I hold very strongly and surely it's something we should all realize.

I want to cast members' minds back briefly to the circumstances 10 months ago when we were faced in the Legislature with Ontario's response to the anti-inflation initiative taken by the government of Canada. I was struck once again by the Treasurer's (Mr. McKeough) vehement defence of the position taken then—that Ontario had no role whatsoever to play other than to turn belly up and give all of our responsibilities to the federal government of this nation. I objected to it then and I believed it was a mistake. I wish very sincerely that an alternative could be found now whereby Ontario, the banner province of Confederation, could assume its undoubted provincial responsibilities under the constitution to apply wage and price guidelines in this province in a parallel but independent fashion.

The Treasurer's defence in this connection is that this is simply an attempt to hand out some extraordinarily large wage increases to the people he calls our political friends. I won't particularly comment on that because, of course, we have political friends everywhere as everyone knows. Certainly the concept of the administration of wage and price controls at the provincial level is a valid one and a healthy one.

At the time this was being debated in the Legislature about eight months ago, Mr.

Speaker, I put forward, on behalf of my party, an amendment to the Throne speech which was critical of the government and which, the government said, if it carried would have thrown the province into an election. For that reason, which may be valid in the eyes of the member for Riverdale (Mr. Renwick), the NDP supported the government in that context. I suppose in his mind the justification for that position, in hindsight, is ample.

I would like to recall to you, sir, the circumstances which found 74 members recently elected to this Legislature all of one mind and that was calling for provincial implementation of wage and price controls and certainly the reference to this Legislature of any agreement the government might contemplate with the government of Canada. There were 51 Conservatives at least and while they didn't say much about it the Treasurer, their leader at that time in this particular field of endeavour, brought forward those trumpets which he blasted back and forth across the province, saying "If you're fighting a war, you don't divide yourself up into provincial armies" and so on.

In a most vituperative way, he defended a position which was crassly political. After the election, it was clear that the civil servants of this province were going to demand tremendous wage increases and we had a mechanism for compulsory arbitration which, in our experience, would have granted them substantial increases which no doubt they would merit. The teachers were extremely militant, as we found from our experience in the subsequent weeks and months of a lengthy and vituperative strike, a costly strike in Metropolitan Toronto. The doctors were fulminating against the Minister of Health (Mr. F. S. Miller); they finally calmed down to await their turn as far as increases in their rates were concerned, although they have found ways to increase their net revenues without affecting the rates in any way.

The government, in a minority situation, was faced with these tremendous demands from large segments of the public sector, or those areas controlled publicly in the Province of Ontario. The Treasurer was quick to leap to the conclusion that all of this should be, and must be, a federal responsibility. For him to attempt to justify that on any other basis is ludicrous and I can imagine the discussions taking place in cabinet in which, in his usual argumentative manner, he carried the day.

There was a time when the Treasurer sat somewhere over here in the rump of a very



large Conservative majority and he would call out, in loud voice, what the policy should be and nobody listened to him very much. But believe me, the people in the councils of government listen to him now, and for us to blame the present Attorney General (Mr. McMurtry) for the position taken and the weak legal basis which was offered to the government from the law officers of the Crown, that too is a bit ludicrous. He was a new boy. Certainly, he had the ear of the Premier (Mr. Davis), as in fact he has the ear of everyone here.

**Mr. Reid:** He's just got terrible friends, that's all.

**Mr. Nixon:** He's a very, very popular politician and, next to the Minister of Labour (B. Stephenson), he may be the most popular. I'm not sure who I'm going to be supporting in that leadership convention when it comes along.

**Mr. Reid:** I know he's not supporting the Attorney General. He wouldn't support the Attorney General.

**Mr. Nixon:** But here's the Attorney General, with the background that he has—talk about, what is it, the vertical mosaic or sitting on top of the pyramid—boy, there he is, basking in the sunshine of Lake Muskoka, shaking hands and wearing the special ties that identify him with the very best crème de la crème in this province as far as education is concerned, still rankling from a very serious political defeat, when all of the ammunition of the great Conservative Party had come to naught before the onslaught of the hon. member for St. George (Mrs. Campbell) who had carried the day then and will carry it again. She doesn't happen to be in her seat at the present moment.

[There he was. Finally he had made it. He was the Attorney General. For all of his education, for all of his interest in politics and for all his ambition, Mr. Speaker, I don't believe he has any iota of understanding of the responsibility of being the chief law officer of the Crown.

You can bet that Arthur Wishart would have stopped him. Arthur Wishart would have said: "Look, this may be the political approach that you people are going to demand but I, as Attorney General, cannot give you the piece of paper that will legitimize it," but this Attorney General did.

One of the things that concerns me is there was a little comment from the Attorney General in the press a couple of days ago. He says: "I certainly don't like the way people

are criticizing Mr. Callaghan because Mr. Callaghan is such a marvellous lawyer"; which he no doubt is. "He is such a great public servant"; which he no doubt is.

I don't know who was criticizing Callaghan. The people were criticizing the Attorney General. It's sort of a measure of what we could expect from the Attorney General in the future. He may not be around very long—but something tells me that, on the other hand, he may, in that he would be prepared to say: "My God, isn't it terrible the way they're criticizing Frank?"

Honestly, in any of the governments of this province for 100 years past, this Attorney General would have been out on his bottom by now. He would have been out, out, out! We've joked about the Supreme Court scores and so forth, but the thing that concerns me is that the Attorney General doesn't realize, that unlike other members of the cabinet—well, perhaps the Treasurer has a part of this special responsibility—

**Mr. Shore:** Oh, he's terrific.

**Mr. Nixon:** —he gathers around himself a real independence, and if he believes that the government is acting improperly, or illegally, he must tell them. If he didn't believe that then really he shouldn't be in that job, because it was obvious, even to a farmer from South Dumfries, let alone a constitutional mogul from Wilson Heights.

Anyway, I feel very strongly about this, Mr. Speaker. I don't think that many lessons are being learned but I have a feeling the Attorney General is not going to be such a patsy again.

**Mr. Shore:** Never again.

**Mr. Nixon:** I can't blame him too much because there was that aura of "Oh, boy; look at me in the front row. I have finally made it. I have overcome that little embarrassment of a few days ago in this progress up the vertical mosaic"—he started pretty well at the top of it anyway—which is so much a part of his commitment to public life.

**Mr. Reid:** So much easier.

**Mr. Nixon:** I am telling the House there is very great concern that the cabinet, with the leadership of the Treasurer I would predict, said, "What a heaven-sent opportunity for us to get rid of the responsibilities which are simply unbearable in a minority situation. We will do this—"

Interjections.

**Mr. Nixon:** "—We will shove it off on to those people in Ottawa and we will criticize them while we are doing it. We will get it every way." I'll bet nobody even thought about the legality of it—

**Mr. Shore:** Oh, yes.

**Mr. Nixon:** —until the Minister of Labour, who as we know is an excellent politician, began surreptitiously to nose around the corners of this building and found that the majority opinion was that it had to be referred to the Legislature and the clear public position of 74 of the newly-elected members was that there should be provincial implementation. If we believe in provincial rights, if we believe in supporting the government of Canada's initiatives, there should have been provincial implementation. Anything less than that was simply a complete injustice to the public servants, the teachers and others in this province.

We say the government has learned a lesson but I think the lesson the government has learned is that with the position it holds it can circumvent the will of this House; it can circumvent the democratic prerogatives of this House and that is what it is doing. Far from sitting over there in any embarrassment, the Premier, as somebody has written, has a bland smile of contentment on his face and a loosey-goosey—I think that is the phrase used—approach to public pronouncement. That came from the Sun so I put that before the House for whatever it is worth.

In other words, there is no lesson being learned. I am telling you, Mr. Speaker, that if there is one man in this House who must learn a lesson from this it is the Attorney General. I don't know him personally but I like him personally. I think his political career, if it is not cut short within the next few weeks, which really could happen, is going to be an interesting one to follow. If he is going to continue as the Attorney General he has to have a lot more spine than he has shown, I'll tell the members that.

Interjection.

**Mr. Nixon:** Don't give me any public references to Frank Callaghan.

Interjection.

**Mr. Nixon:** He is well paid. He is well respected and he will be there after the minister has gone. The responsibility must be borne by the Attorney General.

**Mr. Shore:** What did you have to pay—

**Mr. Nixon:** We had the vote before Christmas and it may well have been that we should have had an election then, but the NDP felt there were many important things to be done. I think there were fund-raising, finding candidates, repairing their platform and having a nice long holiday in the Caribbean sun.

Now they feel the time has changed and they are ready for an election. I'll tell members we are ready for an election, too. Once again, if I might make an independent prediction, I would think this fellow who is just blowing the last smoke ring before he comes into the House is probably very much preparing for one too. I hope it is going to be this fall but it should not be right now because on this issue, if this bill does not carry, the economic chaos would be such that it would be irresponsible even to contemplate it. Those who vote against the bill do so for the crassest political motives. Mind you, they don't have many alternatives since they are in the hip pocket of the Canadian Labour Congress and that's a fact. Joe Morris —

Interjection.

**Mr. Nixon:** The member from the steel workers union in Hamilton is laughing and he, more than anyone else —

**Mr. Shore:** I hear he can't move without calling him.

**Mr. Nixon:** — should know that what I say is precisely correct.

Interjection.

**Mr. Nixon:** I'll tell the House that when Joe Morris sneezes the NDP get pneumonia.

**Mr. Bain:** Whose hip pocket are you in?

**Mr. Nixon:** Mr. Speaker, I have a moment or two and when we look at what may happen in the next few weeks, Joe Morris, who is not as seasoned a labour leader as perhaps we have had for a while—he's been around a long time but he is no David Archer—Joe Morris is leading himself down a garden path which is going to be destructive of organized labour, which I regret, and destructive of the NDP, which I welcome.

Interjection.

[10:45]

**Mr. Nixon:** I would say that with all his talk of a general strike there is no way. Being the strong, energetic leader that he is and a very, very able man, he has lots of brains, if he came into the Legislature it might improve the NDP; but he is leading himself down the garden path. The more he talks about it, the



harder it will be to retract from that general strike position.

The teachers—I don't even know whether they are here today; they have probably listened to enough of this debate —

Interjection.

**Mr. Nixon:** — are going to be in the same position. Are we going to close the schools for a few days to show how terrible the Anti-Inflation Board is? Surely not. But there are going to be pressures on them. But what are the NDP going to do here and in the Parliament of Canada?

**Hon. Mr. Davis:** You would have encouraged them at one point in time.

**Mr. Nixon:** They may not even come to the Legislature that day. But they are all in the box and the people of this province don't like it. They are not prepared to continue any more allowing the NDP, being simply the spokesmen for the upper echelons of organized labour, to dictate what the circumstances are.

Speaking politically there are those who smile benignly and say "My, aren't the Liberals in a mess in this?" I'll tell you we are not. We had taken a legitimate and responsible position in the fall and certainly that position carried over now can be described in precisely the same way. The NDP have been brought into this position where Joe Morris is calling the shot, they are going to —

**Hon. Mr. Davis:** I have never said you are in a mess on this issue. In a mess, yes, but not on this issue.

**Mr. Nixon:** They are going to be supporting a general strike in the fall and, gosh, if we have an election about that time it may be very difficult for them, because the people in this province don't want that kind of an approach and believe me they want the anti-inflation concept and the decisions of the Anti-Inflation Board to work.

**Hon. Mr. Davis:** You have come a fair piece.

**Mr. Nixon:** Mr. Speaker, I know my comments have been helpful to you, sir, in making up your mind on how to vote when the bill is put before us for second reading a few hours from now. I have no qualms at all in voting for the continuation of the powers of the Anti-Inflation Board in this province.

**Mr. Deputy Speaker:** Does any other member wish to participate in this debate?

**Mr. Good:** Mr. Speaker —

**Mr. Shore:** Take as long as you want, Ed.

**Mr. Good:** — I want to make a few remarks as to why I'm supporting this legislation and why we as a party are supporting this legislation. When the announcement was made last fall, I think that it was generally agreed that some measure had to be taken by the federal government to do something about the double-digit inflation which was persistent at the time.

Of course, the hardest hit were those people on fixed incomes. The wage demands were large, interest rates while high were not even keeping up with inflation, return on investment was not even allowing enough to keep up with inflation and the erosion of the dollar was something which everyone was very much concerned about.

I believe most people did feel that something had to be done. The government of Ontario proclaimed its support for the anti-inflation programme and we in the Liberal Party proclaimed our support for the federal AI programme, but felt we should exercise our option as a province to deal with our own employees.

Much has been said about the manner in which the Ontario government entered the programme, and although the Treasurer (Mr. McKeough) was warned by members in opposition, both the Liberal and the NDP members, the government proceeded to enter the programme by order in council. I feel that while this was one instance, I think is a typical action, because I have felt that more and more there's been a tendency to do by order in council what should have been done by legislation. This is evident in much of the legislation we've passed in the last few years and it's certainly evident in cabinet board orders which have been replacing supplementary estimates, and it has been evident by our hospital closings. In my estimation, in the time I have been here I have felt there has been more and more a feeling of government contempt for this Legislature, and a desire to use it as little as possible and do as much as possible by order in council.

But when we clear away all of the legalities, all of the incompetence of the legal opinions on the government side, and all of the differences of opinion as to how Ontario has entered the programme, we find that what we are really debating is who supports an anti-inflation programme and who supports runaway inflation. That's about what the crux of the matter is.

Make no mistake, Mr. Speaker, today we will know who is in favour of bringing our economy back under control so that we can

compete in the world export markets, and who is in favour of excessive wage demands, who is in favour of excessive profits, and who is not happy with the fact that in the last 12 months the consumer price rise has been the smallest in over three years.

Of course, the NDP opposes any interference with excessive demands of strong union leaders. The CLC has told Uncle Ed Broadbent and his handful of federal NDP that they must oppose the AIB. The jobs of the union leaders appear somewhat in jeopardy and even redundant, if their purpose of stirring up confrontation between management and employers is somewhat reduced.

It's interesting to note the practice and the pattern of the NDP in recent months. The NDP, after giving nominal support to the independent haulers, buckled under after pressure, presumably from the Teamsters Union, and supported Bill 4. Fortunately the government has seen fit to review that whole procedure. The NDP again buckled under the demands of union leaders and scuttled a programme that would have got rid of non-returnable soft-drink containers, with the co-operation of the government.

Once again we see the NDP in opposition to this bill. The heavy hand of the CLC is certainly evident as it inserts itself into the provincial Legislature. I predict the NDP support for the CLC's general opposition and general strike will all but wipe them out in the next election in the province of Ontario.

It is a great concern, as mentioned by the previous speaker. I have spoken to many school teachers in my own area, as recently as this morning, and they are very much concerned at the trap they are being drawn into on this particular issue and on this particular bill.

It's been argued that the anti-inflation programme is affecting only wages. This is certainly not correct, and that's the only concrete reason given by the NDP for opposing the anti-inflation legislation. I admit it's easier to control wages than prices or profits, but certainly statistics have shown that wages have risen faster than profits. It's interesting to note that we are now having a reaction from the Canadian Chamber of Commerce, which is questioning its support for the anti-inflation programme, so we have a great paradox here.

**Mr. Mackenzie:** Now you are starting to listen.

**Mr. Good:** Some say that it's affecting only wages and now the Canadian Chamber of Commerce is looking at it with a jaundiced

eye because it says it's cutting into profits of business. You can't have it both ways.

**Mr. Young:** Prices are going sky-high.

**Mr. Mackenzie:** You should change your position.

**Mr. Good:** The objection by the chamber, in my view, proves that the programme is working.

**Mr. Spence:** That must be right.

**Mr. Good:** Why, Mr. Speaker, is there objection now on the part of business? Simply because recent pronouncements by the AIB have reduced allowable profit from 95 per cent to 85 per cent of the previous year. Of course, prices are controlled by profits. Anyone with any degree of business competence can understand that prices will be controlled by profits. To further that argument, recent applications before the AIB for price increases have been turned down on numerous occasions. So it's artificial, it's a straw man, as the NDP usually sets up when it wants to build itself into a frenzy to oppose a certain type of legislation. The AIB programme is successful.

**Mr. Laughren:** You don't need a caucus to vote on this one.

**Mr. Good:** It is successful, it is affecting the consumer price index. As I said before, the AIB programme is working. The 7.8 per cent rise in consumer prices for the last 12 months is ample proof. It is the smallest consumer price rise in the past three years. While I have no problem in supporting the AIB programme, the incompetence, the bungling and the contempt for the Legislature demonstrated by the government of Ontario in entering the plan will not be soon forgotten by either this party or the people of Ontario.

**Mr. Mackenzie:** Mr. Speaker, I rise with concern and a real desire to speak on this issue. I guess a desire may not be the right word. It is really a concern that I have to get up and speak on a bill that I think is as important as this bill for all the wrong reasons.

I sometimes wonder when listening to my colleagues on the left here—by that I don't mean left politically; that's pretty obvious—if they have issued all their memberships in the John Birch Society after I listened to them today. I wonder if we have a mess in this country or in this province. I think the one kernel of truth in the remarks of the ex-leader of the Liberal Party is that we don't



have that bad a situation in the country. If we have problems for which we have to bring in this kind of legislation to deal with, where did we get them? It certainly wasn't from these terrible socialists they're talking about. Unless my grasp of history is wrong, we've had Liberal and Conservative governments federally and in this province for an awful lot of years.

**Mr. Kerrio:** Thank God!

**Mr. Mackenzie:** We've had them for an awful lot of years and we've got such a mess that we've got to bring in this kind of legislation. It really makes me wonder. In the interest of Canadian labour, I think it is important and vital—

**Mr. Singer:** What did Marcus Aurelius say about that?

**Mr. Laughren:** Leave Mark alone.

**Mr. Mackenzie:** —that we at least have some understanding and that we at least have some people that know a little bit about the trade union movement. I was going to offer to the new leader of the Liberal Party—thank God, he's their leader—a brief course, a crash course, if you like. I'm sorry to say that I think I have to add the ex-leader to that list. I'm perfectly willing to conduct a short course in what trade unions are all about, what collective bargaining is, what a local union is, how they affiliate to a federation or a congress and how they and the members decide what they're going after because it is obvious in the Liberal Party that they don't know a damned thing about the trade union movement.

**Mr. Kerrio:** Just how to work.

**Mr. Mackenzie:** I was upset, I'll tell you very frankly, about the obviously biased and anti-labour tirade we got from the leader of the Liberal Party yesterday. I really wonder, and not just on that issue, why he works so hard to make himself the political joke of the province. I just don't think we can stand in this House and ignore such a bias against working people—the people who really muck in the mines and work in the mills and built this province of ours. And the farmers too are working people, as far as I'm concerned.

I also want to tell him how well informed he is in terms of his research department, when it comes to the trade union movement. I listened with interest to his comment when my colleague from Wentworth was speaking that the CLC programme, the programme it did have, and

which he obviously doesn't agree with, came about only after Mr. Trudeau's famous Thanksgiving speech. He should do a little bit of research if he has a research department. I have in front of me here a short document which is background material prepared by the executive council of the CLC for a meeting of ranking officers of all Canadian Labour Congress affiliates for a meeting held on May 7, 1975. I will put it down on record so he has some information. Let me give you the first paragraph in this letter:

[11:00]

To date, there have been two official meetings [and there are minutes to these meetings] between the executive committee of the Canadian Labour Congress and the ministers of Finance, Labour, Manpower and Immigration. The first meeting took place Jan. 22, and the second April 3. Those meetings dealt with the possibility of a wage control programme or alternatives. They also dealt with some of the suggestions of the congress dealing with negative income tax credits, dealing with housing, dealing with handling problems of working people and the redistribution of wealth and income in this province. There was this comment, and this went to the government and was part of the discussion federally: "The Canadian Labour Congress position is that no programme can be considered acceptable unless it includes the following positive measures and is based on the principles contained in the minister's statement."

I am not going to read them in detail, but they included major steps to supply housing, regulation of rents to curb gouging, an active programme to curb land speculation, regulation of oil and gas prices, a negative income tax and full employment policies.

And that last point is one of the things I am afraid is going by the board in this debate. We have a smokescreen that covers the rather serious unemployment problem. The CLC also asked for positive evidence that professional fees would be controlled, an increase in pensions, and a definite guarantee that any tax concessions made to corporations be used for investment purposes to create jobs and not to end up as payment of higher dividends or higher profits.

I am not going to read the 10-point CLC programme into the record, although I had intended to. There is only one of the points missing, and that listing compares very closely with the programme that finally came out and was presented to all of the



unions. It went to the government of Canada in January and again in April, and to the entire executive committee and the heads of affiliated unions of the congress on May 7. A little bit of research could have told this government that they were working on it well before the statement of the Premier (Mr. Davis) of this province.

**Hon. Mr. Davis:** We don't know who your contact was.

**Mr. Mackenzie:** This government obviously doesn't know anything about the trade union movement. One other point that is constantly made by my friends and colleagues on the left, and that is how we could change our position. You know, our position hasn't changed from day one. They constantly refer to their amendment to set up a provincial board—when was it, in December?

I have to ask them: If we opposed the federal programme in total—which we did; and that was not opposition to a fight on inflation but to the absolutely anti-way it was being done, the hurt-the-people way, the bad legislation way—why should we accept a provincial Liberal version when we won't accept the federal Liberal version? Quite frankly, if I am going to get shafted, I would probably sooner be shafted by the federal Liberals than the provincial Liberals. It took Trudeau about three months to change his mind, the provincial Liberals change theirs three times a day.

**Mr. Nixon:** You are going to get it anyway.

**Mr. Mackenzie:** Workers can tell you, and they can tell you very clearly what is wrong, Mr. Speaker. There is not a majority of trade unionists or workers in this party; or on its executive, at any level. We sure as blazes are not in Joe Morris' pocket. I wish we had a little closer affiliation and liaison than we do. But they can tell you what is wrong. They can tell you a number of things that are wrong.

**Mr. Nixon:** You are the spokesman in the caucus. It is your fault.

**Mr. Mackenzie:** Let me tell you two or three of the problems we have had. Let me deal first with the paperworkers. I have got very little time, so I am going to have to cut it short.

During the 1973-1975 period, the newsprint manufacturers successfully increased prices. I am not sure that you follow labour matters, but we know what happened to the

negotiations with the paperworkers. Prices were increased 52 per cent per ton of newsprint, and bleached kraft pulp in that same two-year period was increased 118 per cent.

What happened in the negotiations? From a negotiated wage increase at the end of a two-year contract, which covered that period, 23.8 per cent was won through free collective bargaining, and the AIB rolled it back to 14 per cent.

Now most of that product also was exported, and as many of you know there are no controls on the profits on that. Why in the devil could the workers not get their fair share when the companies walk off with that kind of excess profits?

**Mr. Conway:** Sounds like the Treasurer.

**Mr. Makarchuk:** They have the Liberals helping them, that's why.

**Mr. Conway:** Shout Darcy!

**Mr. Mackenzie:** Denison and Rio Algom, two of the mines at Elliot Lake where we also had strikes and loss of productivity over a real con job or a real cheap shot on the workers by the AIB, showed pretty fantastic prices. I know in the case of Denison, their profit in 1974 was about \$12.5 million net. It was something like \$28 million net in 1975. Most of their products, as are Inco's—if you want to go outside of the province for a moment to Thompson, Man.—most of their products are exported and there are no controls on the profits; and on exported goods the companies are making a mint. The workers are being denied any fair share, any return on that at all, through the mechanism of the AIB.

The AIB is a bad legislation. It hurts workers. It hurts wages. It hurts people right down the line. It does not affect the major companies. It does not stop the profiteering in food or prices in many of these areas.

You try and deal with the federal AIB board as a worker. Most of them now have a car and they call about their insurance, which has gone up anywhere—say the people who have called me—from 26 to 77 per cent. I have written about five to 10 letters to the federal AIB and they won't answer in writing. They will call—I think it's a Miss Polowin or something who works for a chap, Mr. Nuttall, who handles the auto insurance cases for Mr. Pepin—and they will say, "Look, we are not dealing with any individual auto insurance claim case whatsoever, but at the end of the year we will look at the profits of that particular company." They won't say



what they will do with the people involved, of course.

And then do you know what they are doing? They will also say that they won't give you that in writing. If you write on behalf of one of your constituents, they will tell you: "We will phone the constituent that you wrote on behalf of and we will phone you." That's two long distance calls from Ottawa. I know they have probably got trunk lines, but that's the kind of bureaucracy the federal Liberals have set up and you can't even get the answer back in writing; you get no response to it.

**Mr. Shore:** It's cheaper to make a phone call. Haven't you heard that? Don't you read the newspapers?

**Hon. B. Stephenson:** No, he doesn't.

**Mr. Mackenzie:** Let me also give you one other example of some of the unfairness that exists.

**Mr. Conway:** Who wrote this? Schreyer?

**Mr. Mackenzie:** We just finished a strike in Hamilton a few months back. A bunch of people at a firm in the city of Hamilton were out on strike from June 1, 1975, until they settled on Dec. 4, better than six months. They took the loss. They had the guts. They felt their case was just, to walk the picket line. Their proposals had been put in since the beginning of the year. They argued also for a relationship and they were told they could on a benchmark basis on individual jobs and they negotiated an increase. It is not an excessive one. They were at the end of a three-year contract, trying to catch up, of 16, 10.7 and 8.4 per cent and they were rolled back to 13, to 11—they gained a little on the second—and to eight per cent on the third, after being out for six months and a week on the picket line. During the course of that time they phoned, on an open line show, the Hon. John Munro and said, "What is our position going to be if we finally do settle on this? Will we have a chance of winning even this minimum wage increase?" And his argument was, "Yes, there's obviously a relationship. You should have no problem with it. Also, your negotiations started well before the legislation." It didn't mean a damn thing when it came to the legislation. Let me tell you one other final thing that's also happening.

**Mr. Shore:** Who writes your stuff—Davidson?

**Mr. Mackenzie:** This is another thing that's happening as a result of the AIB. The scenario goes like this: The Canadian manager of a branch plant company says to his boss in the United States, "We have a wage-price freeze, so we can't increase profits." The boss replies, "That's okay, we will increase the price of the parts and materials we send you and make the profit here." In that way you can pass the increased costs along, which you are allowed to do, you know. In simple terms we are going to see some outside firms and US companies with increased profits and increased business at the expense of our people because of this AIB.

**Mr. Shore:** Yes, they will pay more money back to your organization. The unions will be more powerful. They will bail you out.

**Mr. Mackenzie:** You have asked what alternatives have we got.

Interjections.

**Mr. Mackenzie:** We have set out, and I am proud that we set them out in some of Ed Broadbent's statements, some pretty positive alternatives dealing with what might better have been called a crisis of profits in this country, an exploitation, rather than wages or wage increases of workers. We can deal with that. We can deal with selective review. We can deal with profits. Let's start hitting the prices that are affecting people and help all of the people first, rather than zeroing in and shafting the workers and the low income and the fixed income people.

**Mr. Conway:** How much more?

**Mr. Mackenzie:** There are a number of things I wanted to cover and a number of statements that were apropos to this debate, but we just simply don't have time today. As for holding up a socialist bogey, I'm proud to wear that label, if it means my kind of planning, the kind of fair shake for people as against bending over every doggone time one of the big business communities says to the government don't put these kind of controls on us. That's the route I'm going to take. I'm not in the pocket of any trade union when I stand up here. I happen to believe and our party happens to come down on the same side of most issues because they also happen to be fighting for working people.

The tragedy of this legislation and the way it's being done is that it is not tackling inflation, it's tackling little people. The government should recognize that as well. This is one of the lousiest bills that I've seen brought into this House. This is a poor bill; this is a

bill that hurts people. It doesn't solve the problems of inflation. It's a bill that seems to be the reaction of the two Trojans, if you like, of the private enterprise system in this country. When you've got a problem that you can't deal with, you revert to some sort of economic dictatorship. Don't talk about freedom; don't talk about a lack of bureaucracy to us. You're the people that put us into this problem. Your answer to it is to do something that's really going to hurt people in this country and not solve the problem. You should be ashamed of yourselves and the government should be ashamed of the legislation.

**Hon. Mr. McMurtry:** I am naturally very pleased to have the opportunity to respond at least to some of the remarks of my distinguished colleagues on both sides of the Legislature. At the outset, I would like to make it clear that it is only my innate and very natural modesty, my upbringing and my education which prevents me from expressing my true appreciation for all of the accolades that have been forthcoming from all sides of the House.

**Mr. Nixon:** The member for Scarborough Centre (Mr. Drea) was the only one who praised you.

**Mr. Lewis:** That's because you really are at the top of the mosaic. You know what genteel means.

Interjections.

**Mr. Germa:** You can only go down.

**Hon. Mr. McMurtry:** In particular, I was very interested, as I always am, in the remarks of our distinguished colleague, the member for Riverdale (Mr. Renwick), who, I sincerely state, articulates matters of law and of policy as well as anyone I've ever heard.

**Mr. Ruston:** Yesterday was not one of his better days, though.

**Hon. Mr. McMurtry:** I am truly indebted to him for his very kind and generous remarks directed towards the law officers of the Crown of Ontario who assisted me, the Attorney General, with respect to the matters that were before the Supreme Court of Canada. He quite properly and fairly recognized them to be not only dedicated public servants, but individuals enjoying a very high professional standard. And, clearly, I think we all recognize their dedication and their interest in serving not just this government but all of the citizens of Ontario.

Unlike some of his friends to the left in the Liberal Party, the member for Riverdale does not attempt to cloak himself with some claims of infallibility.

**Mr. Nixon:** With his record, how could he?

**Hon. Mr. McMurtry:** Even he admits, unlike the member for Ottawa East (Mr. Roy), that he can be mistaken when offering an opinion in the very complex area of constitutional law.

**Mr. Shore:** Three to zero is a lot of mistakes.

**Mr. Roy:** If I ever make a mistake, I'll admit it.

**Hon. B. Stephenson:** Modesty is not one of the things you suffer from.

**Mr. Shore:** We don't think you made a mistake.

**Hon. Mr. McMurtry:** The correspondence between myself and the member for Riverdale has been referred to. On Oct. 30, 1975, he did deliver to me a very thoughtful opinion with respect to the position of Ontario in relation to the federal legislation and his views in relation to the constitutionality of the federal legislation.

[11:15]

**Mr. Kerrio:** Bullbrook changed his mind.

**Hon. Mr. McMurtry:** And at that time he did state, and I quote: "Whatever may have been thought in the past, it is now agreed that there is no emergency power in the Parliament of Canada."

**Mr. Singer:** Did he say that?

**Hon. Mr. McMurtry:** And he went on to state:

The power of the Parliament of Canada to make laws for the peace, order and good government of Canada is subject to the absolute qualification that it cannot, in the exercise of that power, make laws in relation to matters coming within the classes of subjects assigned by section 92 of the Legislature of Ontario.

**Mr. Singer:** No wonder he talks so kindly about Mr. Justice Beetz.

**Hon. Mr. McMurtry:** The majority of the Supreme Court of Canada, in its wisdom, has ruled that the Parliament of Canada does have the power through the peace, order and good government provision to encroach on sections which are generally exclusively with-



in the jurisdiction of the provinces and at least part of the majority in the Supreme Court of Canada did invoke the emergency doctrine.

I don't quote his opinion to quarrel with him over it because it was a view that was expressed by many people learned in the law. It was a view which was expressed by the majority of counsel in the Supreme Court of Canada. But it was a view that was rejected —

**Mr. Singer:** It even found its way into your brief.

**Hon. Mr. McMurtry:** — by the Supreme Court of Canada. But, at the same time, and in the absence of the company of the member for Lakeshore (Mr. Lawlor), I would in the interest of this young, inexperienced Attorney General, urge the member for Lakeshore and the member for Riverdale (Mr. Renwick) to try to establish some common constitutional ground for my guidance.

**Mr. Singer:** They never agreed before so why should they start now?

**Hon. Mr. McMurtry:** After hearing their contributions to this debate yesterday, I am really very puzzled as to just what the constitutional position of the official opposition party is.

**Mr. Singer:** There isn't one. It depends on what Renwick says today and what Marcus Aurelius tells him.

**Hon. Mr. McMurtry:** For example, the member for Riverdale did dwell, to some extent, as did the member for Wilson Heights—I still think of him as the member for Downsview—on the dissenting opinion of Mr. Justice Beetz. I think the member for Riverdale did attempt to some extent to enshrine that opinion in that sort of special hall of legal martyrs that lawyers like to provide for their favourite dissenting judges.

**Mr. Shore:** You've got to watch those lawyers, Roy.

**Hon. Mr. McMurtry:** On the other hand, the member for Lakeshore simply dismissed that learned judge as a throwback, and I quote, taking the opposite view to the member for Riverdale with respect to the constitutionality of the legislation, of course hailing the wisdom of his former teacher and, in fact, leading us to believe that the decision was precisely what he would have expected. I just ask the members, if I'm going to enjoy their guidance, as I sincerely hope that I will, in the future, that those two people get together —

**Mr. Singer:** They are going to meet with Beetz together and he will tell them.

**Hon. Mr. McMurtry:** — and attempt to establish a common front in advising the Attorney General for Ontario—advice which I think I can honestly say has always been well received at least in the nine months that I have occupied this responsibility. It has not always been accepted but is always well received because it has always been well intended.

**Mr. Renwick:** Mr. Justice Beetz is the Justice Holmes of the Supreme Court of Canada.

**Mr. Lewis:** Mr. Justice Wendell Beetz.

**Hon. Mr. McMurtry:** But you know, in the interests of continuing the very useful dialogue that I do have with the legally-trained members of the official opposition, I would like again to refer them very briefly to that NDP bastion of integrity in Manitoba which also entered an agreement with the federal government for the implementation of the federal anti-inflation programme in the Province of Manitoba.

Interjection.

**Hon. Mr. McMurtry:** The Province of Manitoba did have an Act and I want to refer to the Act, because I want to indicate my desire to receive an opinion, not today but shortly, from the member for Riverdale.

**Mr. Renwick:** You won't get our consent to that kind of legislation.

**Hon. Mr. McMurtry:** The 1970 legislation in Manitoba is referred to as the Executive Government Organization Act and it stated:

[The Lieutenant Governor in Council may authorize a minister for and on behalf of the government or an agency of the government to enter into an agreement with the government of Canada or a minister or agency of the government of Canada for the benefit or purposes of the residents of Manitoba or any part thereof.]

It was on the strength of that enactment, according to Premier Shreyer, that they were able to enter into the similar agreement as was entered into by the Province of Ontario. While I am waiting for a reply from the hon. member for Riverdale I ask for his views on the words of the Chief Justice of Canada which were as follows:

Rather what is at issue is the right of the Crown, although duly protected by an order in council or duly protected by legislation of that nature, to bind its subjects in the province to laws not enacted by the Legislature.

It seems to me, notwithstanding the legislation of 1970, that the Province of Manitoba—again that bastion of NDP integrity—did bind its citizens to legislation or to an effect which was not enacted by the Legislature. What I want to know is whether the member, in criticizing this government for its illegal activity, and if we were to introduce a similar bill as was introduced in the Legislature of Manitoba in 1970, would be prepared to support such legislation.

**Mr. Renwick:** Mr. Speaker, since I have been asked a question my categorical, unequivocal answer is no.

**Hon. Mr. McMurtry:** I hope the member will communicate that opinion to the distinguished Premier of Manitoba.

**Mr. Renwick:** And to my colleague, the member for Lakeshore.

**Mr. Lewis:** I think in fact we did and he paid no attention.

**Mr. Singer:** Why don't you write a book, Renwick? Maybe you would get an MA.

**Hon. Mr. McMurtry:** It was the answer I hoped for and expected, knowing the consistency of the member for Riverdale.

**Mr. Conway:** It is a flexible party.

**Mr. Lawlor:** On a point of privilege, Mr. Speaker, I would agree with my colleague on this one occasion.

**Mr. Conway:** A flexible party.

**Mr. Bullbrook:** Is this the argument the Attorney General put forward before the Supreme Court of Canada?

**Mr. Singer:** He should have taken Renwick and Lawlor with him.

**Hon. Mr. McMurtry:** I must say, Mr. Speaker, that I do regret that I am not going to have the opportunity to respond to the contribution of the member for Sarnia because I know he will have some very flattering things to say about the Attorney General for which I would like to thank him in advance.

**Mr. Ruston:** Don't count on it.

**Hon. Mr. McMurtry:** Of course, I would like to have the opportunity to respond to him generally but this must be the happy fate of the leader of my government. However, because of some of the views which have been expressed by the official opposition, I cannot depart without commenting at

least very briefly on what I view, in all seriousness, to be the utter hypocrisy of their alleged concern for the so-called lower echelons of the economic echelons of society, for, as already has been pointed out, the purpose of the anti-inflation programme is to protect the principal victims of inflation, the elderly, the sick, the disabled, those on fixed or very little income and in the opposition's desire to serve—

**Mr. Lawlor:** That is not true, it is the upper echelons.

**Hon. Mr. McMurtry:** —the special-interest groups which they continuously cater to, they are prepared to deny them economic justice. I think those people opposite have to face up to the fact that they are denying them economic justice by opposing this legislation.

Interjections.

**Mr. Makarchuk:** It is a lot of crap.

**Mr. Lawlor:** It is your well-to-do friends.

Interjections.

**Hon. Mr. McMurtry:** I suggest to those members that this so-called concern for the lower economic echelons of society is a most hollow concern.

**Mr. Makarchuk:** What have you done about last year?

**Hon. Mr. McMurtry:** I think it is about time those people just admitted that.

**Mr. Wildman:** The purpose of the whole programme is to protect profits.

**Hon. Mr. McMurtry:** Mr. Speaker, at the same time I must state that, notwithstanding the considerable pain that is afforded by making the admission that I'm going to make, I must say that the Liberal Party is the only opposition party adopting a responsible position with respect to the vote on this very important legislation.

**Mr. Shore:** Shouldn't hurt you, Roy. It only hurts for a minute.

**Hon. Mr. McMurtry:** The official opposition are simply prepared to throw the economy of this province into utter chaos in their continued desire to cater to the big, well-organized, special-interest groups that they continue to cater to on a daily basis.

**Mr. Bounsall:** What would happen? You've got most of them under arbitration now.



**Mr. Bain:** Tell us about the chaos.

**Hon. Mr. McMurtry:** I will tell the member about the chaos. There are some 140 decisions that have been given by the Anti-Inflation Board affecting the public sector in the Province of Ontario.

**Mr. Bullbrook:** That is the only reason we support you; that is the only reason.

**Hon. Mr. McMurtry:** There are many more agreements that have been arrived at in the context of the anti-inflation programme. So if you say to these people 140 agreements would automatically be rolled back, even though the leader of the NDP states it would mean too high settlements for some, and yet those who have arrived at agreements in good faith in the context of the anti-inflation programme believing they were subject to the federal Anti-Inflation Board they'd simply throw them to the wolves, that's their position.

**Mr. Bounsall:** What about the positions of your arbitrators? You set up arbitration hearings and arbitrators.

**Mr. Deputy Speaker:** Order, please.

**Hon. Mr. McMurtry:** But at the same time I should say that the enthusiasm to lust after the affections of special-interest groups is not confined to the official opposition.

**Mr. Singer:** Tories do that too, don't they?

**Mr. Reid:** You are too deep into that pornography.

**Hon. Mr. McMurtry:** Certainly, I say it was a motivating desire for the Liberal support of the concept for a separate board for the public sector as opposed to the private sector—in other words, two boards. Two people living beside each other: You go to the federal board, I go to the provincial board.

**Mr. Shore:** You are starting to lose now. Darcy got to you.

**Mr. Singer:** That is a good theory.

**Hon. Mr. McMurtry:** I suggest to the member for Ottawa East, who is unfortunately out of the House, that it is almost analogous as setting up two court systems, one for the public sector and one for the private sector—

**Mr. Shore:** Some are more equal than others.

**Hon. Mr. McMurtry:** —and I suggest that anyone with any sense of fair play whatsoever could not reasonably endorse any such approach.

**Mr. Singer:** No, they just bulldoze it through against the law, eh? That is what the government will do.

**Hon. Mr. McMurtry:** However, Mr. Speaker, as is often the case, unprincipled stands usually must meet their own special Waterloo. We met that in a very dramatic fashion yesterday.

**Mr. Singer:** Nine to nothing. What could be more unprincipled than that?

[11:30]

**Hon. Mr. McMurtry:** Yesterday we witnessed a classic confrontation between the spurned lover and the object of his affections.

**Mr. Bullbrook:** You wrote that yourself, didn't you?

**Hon. Mr. McMurtry:** Of course, I am talking about the Liberal Party and the Ontario Secondary School Teachers' Federation.

**Mr. Conway:** It's pornographic.

**Hon. Mr. McMurtry:** It's quite clear to every member of the Legislature that the Liberal Party was prepared to cater to the teachers' votes, not in the public interest, but in the party's interests.

**Mr. Singer:** Drea probably wrote that.

**Mr. Cunningham:** That's a lie. They gave us the option.

**Mr. Singer:** Tell us why the Attorney General wasn't within the law.

Interjections.

**Hon. Mr. McMurtry:** At the same time I should say I don't criticize the OSSTF for wanting provincial boards. It was their right to support such a stand and I respect their rights.

**Mr. Singer:** Shouldn't you act within the law, don't you think?

**Mr. Ruston:** When are you going to resign?

**Mr. Shore:** Do you actually like your job?

**Hon. Mr. McMurtry:** What I don't respect is your total lack of principle in advocating such a stand.

**Mr. Cunningham:** You were wrong.

**Mr. Bullbrook:** Do we have to take this?

**Hon. Mr. McMurtry:** In any event, the Waterloo arrived yesterday and it was witnessed by members of the OSSTF who were sitting in on the deliberations of this Legislature. They witnessed the most intemperate attack of the leader of the Liberal Party on this very distinguished group of people and I trust that the OSSTF will not forget the intemperance of that attack.

Interjections.

**Mr. Breithaupt:** On the press release, not on the teachers.

**Mr. Singer:** Why do you sulk so much?

**Mr. Shore:** You should hear what they say about you.

**Mr. Deputy Speaker:** Order, please.

**Mr. Singer:** Bail him out.

**Hon. Mr. McMurtry:** I trust that the Ontario Secondary School Teachers' Federation will not forget that yesterday the leader of the Liberal Party described their document as a despicable document, full of utter lies.

**Mr. Breithaupt:** I hope they won't because he was right.

**Hon. Mr. McMurtry:** As I said yesterday, hell hath no fury like a spurned Liberal leader.

**Mr. Shore:** What did you think of it?

**Mr. Kerrio:** What's your opinion of it? Do you think your document was correct?

**Mr. Singer:** Do you compare your bill to Bill 99? Is your bill the same as 99?

**Mr. Kerrio:** You should resign.

**Mr. Deputy Speaker:** Order, please. Most members of this chamber have had an opportunity to speak and if you don't want to maintain some semblance of order, we can always adjourn the House until you are satisfied that you want to listen.

**Mr. Singer:** Good idea.

**Mr. Roy:** He is being very provocative.

**Mr. Deputy Speaker:** I think most speakers have been very provocative in this debate and I think it's only common courtesy to hear out the Attorney General.

**Mr. Singer:** As wrong as he is.

**Hon. Mr. McMurtry:** Mr. Speaker, my concluding remarks will be very brief because

I have been deprived of responding to the learned remarks of the member for Sarnia (Mr. Bullbrook) who I know will adopt a very precise, simplistic approach.

**Mr. Conway:** The spurned lover.

**Mr. Peterson:** He is going to get you and you know it.

**Hon. Mr. McMurtry:** In the interests of not so much pursuing the discussion in this chamber but the fact that I look forward to breaking bread on other occasions not only with all members of the Legislature but certainly my legal colleagues on all sides of the House, I want them to read the decision of the Supreme Court of Canada very carefully.

**Mr. Roy:** I feel out of place. I am the only one who is not a QC.

**Hon. Mr. McMurtry:** I want to say to the former leader of the Liberal Party that I accept total responsibility for the position placed before the Supreme Court of Canada.

**Mr. Mancini:** You should.

**Mr. Singer:** You should be ashamed.

**Mr. Nixon:** If you accept it, you should resign.

**Mr. Conway:** Resign.

**Hon. Mr. McMurtry:** I say I don't expect that it is the first time a provincial government has lost a case—

**Mr. Singer:** You should be ashamed.

**Hon. Mr. McMurtry:** —or half a case before the Supreme Court of Canada. I doubt that it will be the last.

**Mr. Peterson:** Resign.

**Mr. Breithaupt:** You never lost it so well.

**Hon. Mr. McMurtry:** I want members to tell me the last time a Liberal Attorney General appeared in the Supreme Court of Canada.

**Mr. Breithaupt:** The last one who resigned was Roberts.

**Mr. Roy:** You set the precedent.

**Hon. Mr. McMurtry:** They prefer generally to hide behind the opinions of their legal advisers.

**Mr. Roy:** You should give up your seat.

**Hon. Mr. McMurtry:** In my case, I accept the opinion of the legal advisers of this gov-



ernment, because I happen to believe, Mr. Speaker, that I have the best legal advisers that are available to any government in any jurisdiction.

**Mr. Peterson:** Fire them all; and if that is necessary you should be ashamed of yourself. You have no judgement.

**Hon. Mr. McMurtry:** I was called on that occasion—

**Mr. Peterson:** We have got better lawyers over here than you have got in your whole department.

**Hon. Mr. McMurtry:** —to espouse them and I would be proud again.

**Mr. Shore:** What about Darcy's advice?

**Hon. Mr. McMurtry:** But you know, when you're reflecting—

**Mr. Peterson:** Sit down. You are embarrassing everybody.

**Hon. Mr. McMurtry:** Is that all the answer that you have to somebody who advocates something you don't like? You just tell him to sit down? That's not very nice. That is really not very polite.

**Mr. Peterson:** You are not talking any sense at all and you know it.

**Hon. Mr. McMurtry:** I know about your upbringing and I know where you are on the vertical mosaic. You consult with the former leader of the Liberal Party and I'm sure he'll tell you that is just being very impolite—

**Mr. Peterson:** Go ahead, tell me how I am doing.

**Hon. Mr. McMurtry:** —and unworthy of a gentleman of your background.

**Mr. Peterson:** It is a very poor background, I want you to know that.

**Mr. Lewis:** People like me are allowed to say things like that from the bottom of the pyramid.

**Hon. Mr. McMurtry:** I want to say this, which I think is an interesting legal observation—that the interpretation that was placed by the Supreme Court of Canada, which is a judgement that I would not quarrel with, on section 4(3) of the Act, was not—

**Mr. Roy:** Frank Drea is against it.

**Mr. Conway:** Ask Frank Drea.

**Hon. Mr. McMurtry:** —advanced by any counsel at the hearing before the Supreme

Court of Canada, and it certainly was not the interpretation placed on section 4(3) by the law officers of the federal Crown who drafted the legislation.

**Mr. Shore:** Are you still defending that situation?

**Hon. Mr. McMurtry:** So when you are prepared—

**Mr. Roy:** Don't blame him.

**Mr. Shore:** Get on to the next case.

**An hon. member:** Do you agree with Drea?

**Mr. Singer:** Fire the whole bunch of them.

**Mr. Bullbrook:** Do you want to elect the judges of Canada?

**Hon. Mr. McMurtry:** —to criticize our legal advice—and I'm sure that my good friend, the member for Sarnia will be very vocal on this issue—I just hope that you will be prepared to assist the federal officers of the Crown in the drafting of their legislation from this point on.

**Mr. Peterson:** He is going to get you.

**Hon. Mr. McMurtry:** I say that sincerely, because obviously they were wrong and we were wrong.

**Mr. Bullbrook:** Nobody is going to dwell on that.

**Hon. Mr. McMurtry:** In conclusion, Mr. Speaker, we supported the federal anti-inflation programme and we still support the federal anti-inflation programme. We were the only province to support the programme and the legislation without qualification before the Supreme Court of Canada. We did so in the interests of all of the citizens of Canada; not just in the interests of certain citizens but in everybody's interest.

**Mr. Shore:** Why didn't you bring it before the House?

**Hon. Mr. McMurtry:** So I state in conclusion that in introducing this very important legislation, we do so because we believe very strongly that it is obviously in the interests of all the citizens of Ontario.

**Mr. Speaker:** Order, please. There is a technical point which I feel obliged to bring up at this time for the sake of not only now but any possible similar event in the future. That is, if you refer to order 13(b) on page four of the standing orders:

A reply is allowed to a member who has made a substantive motion, and to a minister of the Crown, who has moved the order

of the day for second or third reading of a bill, and the Speaker shall inform the House that a reply of the mover [which in this case was the Attorney General] in each case closes the debate.

**Mr. Bullbrook:** I think we can get unanimous consent. I sure hope we can.

**Mr. Speaker:** Order, please. I was just going to ask whether we could get unanimous consent to set aside this particular order for today so that the pre-arranged schedule may go forward.

Do we have that unanimous consent?

Agreed.

**Mr. Bullbrook:** There is something almost Freudian in what you just did. The AG bungled it again. He bungled it again.

**Hon. Mr. McMurtry:** You bungled it. Mr. Speaker, on a point of personal privilege. You were invited to make a contribution earlier. You didn't. I was the last speaker. No one else wanted to speak, and because of my willingness to set aside this rule —

**Mr. Sweeney:** You said the Premier (Mr. Davis) was the last speaker.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** I think the hon. member should really withdraw that remark.

**Mr. Bullbrook:** I completely withdraw that.

**Mr. Speaker:** Can we get on with the rest of the debate? The hon. member for Sarnia.

**Mr. Bullbrook:** A highly insulting remark, as a matter of fact.

**Mr. Lewis:** Are you humble, are you humble?

**Mr. Renwick:** We are extending the same courtesy to you.

**Mr. Bullbrook:** You know, my colleague from Riverdale referred to the fact that yesterday was Bastille Day. This is Bastille Day plus one and heads are starting to roll around here. A lot of people are losing their heads.

But, I want to say this to you, it is not going to be my intention, in whatever contribution I make to this debate, to dwell upon the opinions of the courts because that would truly be rubbing salt in the wound and that has never been my style. But I say this to you—

Interjections.

**Mr. Bullbrook:** —I recognize fully that the legal profession deals in not absolute judgments but in opinions. But I want to say this to you also: Fortunately for me it is axiomatic that with respect to legal advice you only get what you pay for and when the Attorney General took his own case one wondered about it. But when I hear him talking about the lust for justice, if that was the type of dialogue he had with Chief Justice Laskin I can understand how he led the foray 9 to zip, as Norman Webster referred to it.

**Hon. Mr. McMurtry:** I thought you wrote that column.

**Mr. Bullbrook:** As a matter of fact I did. It is interesting, if I may digress for a moment about the question of Bastille Day—I don't want to at all be unduly serious because in the context of fratricide in Lebanon and that glorious raid by the Israeli guerrillas one has to wonder about the significance of what goes on here as far as the world is concerned. To analogize this debate to what took place on Bastille Day is, I hope, tongue in cheek. But as I said before, when I do look at the New Democratic Party I often think to myself, do I really hear the clicking of knitting needles over there and the cackling of Madame Defarge? I don't know, but I know there is no more axe. But they have a converted Cavalier Robespierre. We all know who he is. He is the philosopher of their party. I intend to refer to some of his comments subsequently.

I want to say to the Attorney General in great seriousness that it is not my purpose to deal with the substance of the opinion. It is however my purpose, as respectfully as I can say it, to record for myself as one person who regards himself as a provincial rightist that I look with some degree of concern about the seventh day judgement that was delivered by the Supreme Court of Canada with respect to the constitutionality of Bill C-73.

I said in response to the press that I was surprised at the decision somewhat, but was very pleased with it. I subscribe to what the editorial writers said in Tuesday morning's Globe, that that particular decision was absolutely necessary in the context of the economic and social condition in this country. I am pleased frankly that our most supreme court decide not their decisions in a legalistic vacuum but again in the context of a realistic approach to what is going on in our great nation.

But I want the Attorney General and the Premier of the province to recognize the power that has now been vested in the federal



government under that particular decision, because I have always regarded the British North America Act as having been written in a residue of understanding that provincial power is significant and should be retained. That is why, on Oct. 29 last year, I began the discussion in the House of where we were going from the point of view of the constitutionality of what we are doing and from the point of view of the best interests of the people of Ontario.

We have heard that, beginning on Oct. 30, the hon. member for Riverdale decided to enter into a "Dear Abby" relationship with the Attorney General and that he felt that the best way of handling matters of this nature is internal correspondence. Well, maybe that is right, it is a strange anomaly that what we have here is a government that will not bring legislation to this House for debate and an official opposition that seems to think the best way of handling that type of discussion is through internal correspondence. That's the right of every member.

[11:45]

I happen to think it is better to involve ourselves in a dialogue here. One of the reasons being, of course, that when one expresses an opinion in an internal letter, if one is wrong one doesn't have to disclose it. But when he stands in his place in this House and decides to invite a debate to give an opinion, then one has to either relish the approbation of his position or suffer the consequences of the ill advice that he gave at that time. In any event, the fact of the matter is the most significant aspect of what we are dealing with here today is section 3 and the principle of section 3.

It was no idle motivation that gave us the opportunity in December of putting forward a confidence motion with respect to the establishment of a provincial board. I am going to tell you right now out of the mouth of the Attorney General came the response as to why that can't be done. It is because there are over 100 decisions in place since that time. There is no doubt that it should have been done at that time.

Let me read something for just a moment if I may. The Treasurer (Mr. McKeough) is the villain of the piece in my respectful opinion. It is not the Attorney General of this province; it is the Treasurer of the province. The Treasurer decided it back on Oct. 30 of this year. In talking about this matter, he said, and I quote from Hansard,

Nor do we agree with the idea that special provincial relationship with some group, such as teachers and civil servants, requires that we estab-

lish a separate review board. In one way or another the government has a special relationship with virtually every member of the work force in this province.

May I say that that was totally repeated yesterday by the Treasurer. He still doesn't understand that the people in the public sector of this province have no special relationship with the government. They have a statutory right for the government to do things for them. I want to say without fear of contradiction that the law of the Province of Ontario at this very moment with respect to the public sector is contained in the Crown Employees Collective Bargaining Act. I want to say without fear of contradiction that what the government is doing right now because of the fact that it wouldn't bring this to the House is that it is breaking the law. But the situation has become so entrenched and the government permitted it to become so entrenched that nothing now can be done about it. We must leave it to the federal government. We must superimpose our responsibility with an agreement with the federal government now to give over that public sector. The problem that we have faced throughout here is that we understood from the very beginning that the New Democratic Party subscribed to the attitude that we should have a provincial board. Somewhere along the line—well, they shake their heads. Perhaps I can't read English.

**Mr. Lewis:** Oh, there were times, sure.

**Mr. Bullbrook:** They shake their heads. I want to read from Dec. 1, 1975.

**Mr. Lewis:** That was in the teachers' debate.

**Mr. Bullbrook:** It was the emergency debate. This was said:

My colleague from Wentworth has been making the argument to me rather strongly, and others have done the same, that an anti-inflation board in Ontario might well have to deal with the private sector as well as the public sector on the basis that even though you have national guidelines, it is legitimate to argue for their enforcement in Ontario by Ontario.

It is not just related to teachers.

**Mr. Lewis:** I agree. I said that myself.

**Mr. Bullbrook:** Well, I just wonder. His colleagues shake their heads when I say that we are somewhat mystified.

**Mr. Shore:** Nervous twitch.

**Mr. Bullbrook:** Then he said:

That is just what we are doing with rents by the way; just what we are doing with the Farm Products Marketing Board by the way and there is

no reason why we shouldn't do it at least for the public sector, and maybe even the private sector, or there will be serious and inequitable dislocations. It will all result in the guidelines, whatever legitimacy they may have, collapsing.

**Mr. Roy:** Who was saying that?

**Mr. Bullbrook:** And then he went on to say:

Mr. Speaker, I urge the government to consider an anti-inflation board for this province for that purpose.

**Mr. Roy:** Who said that?

**Mr. Lewis:** I said that in the teachers' debate.

**Mr. Roy:** Oh, the leader said that.

**Mr. Bullbrook:** During the course of the same debate, on page 1140, the hon. member for Riverdale (Mr. Renwick) said:

In the next three weeks, it is possible for the government to introduce into this assembly a bill authorizing—if it chooses not to have its own anti-inflation board in the province—the delegation to the federal Anti-Inflation Board of the authorities which the government is prepared to grant them. I set aside the argument about whether it is or isn't a delegation. The proper way for this government to have dealt with this was co-operatively—[Gosh, that word has a strange hollow sound today when we talk about co-operative federalism]—co-operative federalism, not an authoritarian state is what we are about—to have dealt with it by an Act of the Legislature setting out the terms and conditions of the participation of the government of Ontario in the anti-inflation programme.

Then that very month, the Liberal Party decided it was a significant matter in the context of the responsibilities of individual school boards, in the context of the responsibilities of police commissions and in the context of the responsibilities of members of municipal councils. We decided, with the assistance of the official opposition and based on those words that we had heard and read, that it would be in the best interest of the public sector at least and perhaps, certainly worthy of debate, the private sector, that we establish, as Quebec did, our own board. We said it was a matter of confidence to us. And what happens? It's history as to what happened. It was decided by some circumlocution of logic that it wasn't in the best interests of the public sector.

I want to say to you this, the one reservation this party has today continues to be the fact that we give over the public sector. On April 29 of this year I availed myself of the first opportunity to enter into the debate during the estimates of the Chairman of Management Board (Mr. Auld) with respect to finally an agreement involving the government of Ontario, the LCBO-LLBO agreement.

It's significant to note that no member of the New Democratic Party at that time decided that it was worthy of their intrusion into the debate. Because finally we had not a school board, not a municipal council, not a police commission, but we had the government of Ontario, subject to final and binding arbitration and refusing to be bound by that. You see, the problem that has arisen has to be laid at the doorstep of the New Democratic Party and the government in combination.

Put aside the legalities of it. The legal niceties, as the Treasurer calls them, are not important. That isn't what it's all about. That's what I meant on the last day of the prior session where I asked a supplementary to a question asked by my former leader. It was a question to the Premier of Ontario, and I said this: "Why is it the policy of this government to seek out judicial review rather than legislative approval?" Because we, as Liberals, believe totally that if a minority government's going to work, it has to work in legislative fashion.

I for one say this to you, Mr. Speaker, what integrity of purpose does the Premier have when he says, "We want minority government to work" but then he says, "With respect to this legislation, any amendment will be regarded as a matter of confidence"? In other words, if I don't get my way then let there be an election.

**Mr. Davidson:** You're going along with it.

**Mr. Bullbrook:** Certainly we're going along with it! With great justification. It doesn't take too much intelligence or common sense to recognize that the NDP has left us in the lurch.

Interjections.

**Mr. Bullbrook:** Think of the consequences.

**Mr. Reid:** Embarrassing, isn't it?

**Mr. Speaker:** Order.

**Mr. Bullbrook:** What we could have done, we could have looked at the teachers and all the public servants. We might have entertained the private sector. We could have had a debate at that time. We could have made it a matter of confidence, if you had wished, at that time.

**Mr. Reid:** But you chickened out.

**Mr. Bullbrook:** But between Dec. 1 and Dec. 19 there was a change of heart.

**Mr. Lewis:** That's right



**Mr. Bullbrook:** I don't know how it came about, since there wasn't a unilateral marriage between the heads of the trade union movement and the New Democratic Party. But it now is consummated.

**Mr. Lewis:** Your own leader talked of it. It was called hospital closings.

**Mr. Bullbrook:** The union is consummated right now, today. I want to tell the NDP the union between their party and the heads of the trade union movement—I hate to read the editorial page of the *Globe and Mail*, because most of the time I find it very bilious, but there are times when they do render a service. I want to read this morning's:

If the Supreme Court of Canada had to take account of practicality in assuming that a national emergency existed and the Anti-Inflation Act should stand, so did the Ontario Liberals. Dr. Stuart Smith and his caucus, if they were to be responsible, had to consider what would happen if they joined the New Democrats to defeat the government on a bill to put Ontario public workers under the federal Anti-Inflation Board. The result would have been chaos.

That's what it would be. I want to say this, if I may, we began this in the House. This party began an understanding that the rights of the Province of Ontario, its workers and all its citizens, were being fettered by the government of Ontario without consideration for legislative approval. We thought we had the support of the New Democratic Party in the thrust of that argument. It seems we didn't and, as a result, some 140 decisions in the public sector have intervened.

It is practically impossible for us to establish a board at this time. I voiced on April 29 in that debate, my personal opinion that even at that late stage it was impossible to establish such a board. We are forced, as the result of a marriage that took place between the other two parties of this House in December, to now recognize that we have given over that total provincial responsibility to Jean-Luc Pepin. We're not pleased with that at all.

I want to say this in closing, we as a party have always regarded the important feature of this not to be a question of whether the opinions of the law officers of the Crown were right, or the opinions of those people who expressed such in the Legislature were right. The important ingredient here is that the government of this province would take it upon itself to execute an agree-

ment in the face of the Legislature. As has been said by my colleagues, and the members of the New Democratic caucus many times, all we ever asked of this government was the right to debate the issue.

**Mr. Foulds:** Is that all?

**Mr. Bullbrook:** At this stage of the game, that right is given to us, but the practical consequences are fettered so much that, as the Premier enters the House, he should say to himself, "I wonder who truly is governing this province? Is it Jean-Luc Pepin or is it William Grenville Davis and his colleagues?" I'm inclined to think at this time that we've certainly given up too much to the federal government. But I want to say this—

**Hon. Mr. Davis:** Or is it Pierre Elliott Trudeau?

**Mr. Bullbrook:** When the Premier of Ontario talks to me about Pierre, I want to say this as a provincial Liberal, those are two of a kind. Those are two of Her Majesty's first ministers who look upon the parliamentary system with essential disdain, the Premier of this province and the Prime Minister of Canada, both of them in my opinion, because I'm elected here as a member of the Ontario Legislature and I don't give a pip for what Pierre Elliott Trudeau does. I'm beholden to no one in Ottawa except as a citizen. Were I Premier of this province, I could assure you this, as I sit down,—

**Hon. Mr. Davis:** Do you agree with that, Stuart? You are smiling.

**Mr. Bullbrook:** —there would have been full, open, unfettered, unrestricted debate and in the context of a minority government platitudinously saying, "We want to make it work," I would have said, "Yes, let's the three of us make it work."

**Mr. Lewis:** Mr. Speaker, the member for Sarnia, as always, is a decided pleasure in this House—if he will forgive me—if not a joy forever. I have learned, in many years in the Legislature, not to cross him directly because I value my presence here for some time in the future.

[12:00]

But what the member for Sarnia did in the contribution to this debate, I think, reinforced much of what was important about this debate, and that is that with one lamentable lapse last night of excruciating proportions, this debate has been characterized on all sides by very useful presentations.

**Mr. Breithaupt:** It's been a real debate.

**Mr. Lewis:** It has, in fact, been a real debate and that in itself is one of those extraordinary realities.

**Mr. Shore:** We should have had it last December.

**Mr. Lewis:** I listened to the member for Sarnia and I couldn't quite understand why so many of his colleagues have for ever been coming to his defence in the last day or two, trying to reclaim for him his reputation lest the laurel of roses rests on the brow of the member for Riverdale. So many of his lawyer colleagues have interjected of how James Bullbrook raised this issue before the Legislature on Oct. 29 rather than Jim Renwick on Oct. 30.

**Mr. Bullbrook:** It's of no importance.

**Mr. Lewis:** I won't bother with it. But what I realized last night while the member for London Centre (Mr. Peterson) was speaking is that there are seven lawyers on the Liberal front bench—seven of them. It is positively unimaginable and it might—

**Mr. Breithaupt:** You've got all of yours on your front bench, too.

**Mr. Lewis:** Well, as a matter of fact, yes, and it must stick in the collective craw that Patrick Lawlor from Lakeshore and Jim Renwick from Riverdale are such superlative artisans of legal clairvoyance—

**Mr. Roy:** Are they lawyers?

**Mr. Lewis:** —the two of them standing alone against the infidels on both sides of this Legislature. Thank God they are here. There is no 7-to-2 decision in this House, Mr. Speaker.

Let me say something, though, just as an aside, if I may. I have been in the Legislature going on for 13 years now—

**Mr. Hall:** Too long.

**Mr. Lewis:** —and although I haven't always understood much of the legalism which has transpired, and I admit that, I have learned, if I may say, that the members of the profession from the opposite side of the House, Liberals and New Democrats alike, on a whole range of issues frequently make compelling and important legal arguments. I remember, I think in the days of Arthur Wishart, when somehow all of that was immensely respected in this Legislature and that the application of the legal view on all parties, on

all sides, was taken seriously, and amended if you will or altered if you will, but there was a sense that when opposition legal critics spoke, they spoke from knowledge and with feeling and with a great deal of rationality.

I worry a little at the way in which the government in its minority position has regarded the legal arguments on this side of the House with something varying between indifference and contempt. They are offered from knowledgeable legislators and the legal views should be taken into account. Had the legal views been taken into account, this government would not be in these circumstances, this unhappy mess, today. It's as simple as that.

**Mr. Reid:** They knew what they were doing. Don't be so naive. They knew what they were doing.

**Mr. Lewis:** I am not so sure they—

**Hon. Mr. Davis:** We could have had an election and you could have made that possible.

**Hon. Mr. McMurtry:** They wanted an election. We could have given it to them.

**Mr. Lewis:** You want an election, so Darcy McKeough said yesterday; we want an election almost any day, and the former leader of the Liberal Party this morning—I heard him in my office—said that maybe we should have an election. So since it is unanimous in the Legislature, why the devil don't we have an election?

**Hon. Mr. Davis:** He said he was ready.

**An hon. member:** He is the only one over there who is.

**Mr. Martel:** Since you are so sure of yourself, Bill, call it.

**Mr. Reid:** That is the least enthusiastic clapping I've ever heard.

**Mr. Bounsall:** Call it tomorrow.

**Mr. Grossman:** You're whistling past the graveyard, Elie.

**Mr. Bounsall:** Your graveyard.

**Mr. Martel:** Call it tomorrow; don't even wait till tomorrow, call it today.

**Mr. Deputy Speaker:** Order, please.

**Mr. Lewis:** The debate so far in some small measure has involved the exorcism of the Attorney General and I don't intend to participate in that. It's reassuring to know,



with the delicious comment by the former leader of the Liberal Party, that those right at the pinnacle of the vertical mosaic are in fact also frail and subject to imperfection, and can lose with some regularity—

**Mr. Breithaupt:** It is sharp up there, too.

**Mr. Lewis:** —and I guess no more need be said than that. Those of us who huddle at the bottom, from minority groupings of various kinds, are pleased to know that there may be room at the top.

About one week ago, almost exactly at this time, I shared a platform with Jean-Luc Pepin before several hundred industrial accountants to whom he put the position of the Anti-Inflation Board on the anti-inflation policy. I must say I'd never heard Jean-Luc Pepin in person and I want to say it was a bravura performance. I was really quite taken with the extraordinary verve of the man, with the artfulness with which arguments were put, with the range of knowledge which he incorporated. He did a quite masterful job. When it was over I understood no more about the Anti-Inflation Board than I did before he began.

**Mr. S. Smith:** He is not responsible for the classes he is leading.

**Mr. Lewis:** Although it was a remarkable performance it was largely if not totally unintelligible. What Jean-Luc Pepin did during the course of his performance was to say, as only Jean-Luc Pepin can, with great feeling, that at some point in time in Canada somebody had to pull it all together.

**Mr. Kerrio:** He's working under a handicap, though.

**Mr. Lewis:** On Oct. 13, the federal Prime Minister had done that and, said Jean-Luc Pepin, it was like the charge of the Light Brigade.

**Mr. Shore:** Hear, hear.

**Mr. Lewis:** Albert Roy says "Hear, hear," and I can see it.

**Mr. Roy:** It wasn't Albert. I was listening to you silently in rapture.

**Mr. Lewis:** It wasn't Albert Roy? It was one lawyer or another lawyer; one of you said "Hear, hear." I thought to myself how willingly federal Liberals, provincial Liberals, and provincial Tories charged off into the valley. That's quite typical of the way the federal and provincial Liberal and Tory parties work around questions of in-

flation. It conjures up the image, of course, of the provincial Treasurer, bareback on his horse, or the horse's bare back.

**Mr. Breithaupt:** Bare? Horse? Him?

**Mr. Lewis:** One or the other. With trumpets sounding, with armour down and visor up, roaring into the fray and that kind of—

**Mr. Breithaupt:** Like Lady Godiva.

**Mr. Lewis:** Lady Godiva hasn't struck me as a normal parallel for Darcy McKeough. For one thing his hair isn't that long. May I say, Mr. Speaker, the question New Democratic socialists have to ask themselves in such situations, one of the things that has to be answered, is who is at the other end of the lance when you are making your enthusiastic charge? The answer, when it comes to the federal Liberals and the provincial Tories is pretty clear. The real adversaries in this case were not at the end of the lance. They chose, thoughtfully, the working people of Canada and of Ontario as the villains of inflation, as the target for the charge.

**Mr. S. Smith:** And you choose the unorganized and the people on fixed incomes.

**Mr. Lewis:** We said at the time and we continue to say it now that they were wrong. We said that philosophically and empirically in every sense they were wrong.

**Mr. Reid:** That is what Joe Morris told you to say.

**Mr. Lewis:** That is why we oppose this bill at this time. The alternative isn't Davis or chaos, to use that old phrase. As a matter of fact, it is Davis and chaos, to use the new phrase; right? That isn't the alternative for us.

**Mr. S. Smith:** No, it is Smith.

**Mr. Lewis:** What it is basically is a fundamental difference on principle with everything the anti-inflation guidelines stand for. We didn't like them when Pierre Trudeau introduced them. We thought they were unfair and inequitable. We thought they were based on false premises. We thought they were misdirected —

**Mr. S. Smith:** You were wrong.

**Mr. Lewis:** — and we are not going to support a bill now which enshrines them and their application in the Province of Ontario—don't think we will.

**Mr. Reid:** But you did in December.

Mr. Lewis: No, sir, we did not.

Mr. Reid: You did.

Mr. S. Smith: What silliness.

Mr. Reid: What a bunch of poppycock.

Mr. Speaker: Order. The hon. Leader of the Opposition has the floor.

Mr. Lewis: My goodness, you are exercised.

Mr. Reid: Your hypocrisy knows no bounds.

Mr. Lewis: As a matter of fact, Mr. Speaker, what the member for Sarnia read today—I have noted it in the column, I think of Bob Duffy of the Star—I recall that during the debate which was held in the House. As a matter of fact, there was no doubt and I have no qualms about saying it, that in the first, almost frantic for some of us, response to the anti-inflation guidelines, for me—I admitted it myself—the need to protect the public sector, the need to deal with the inequity that was unleashed, spawned the feeling that maybe there should be some provincial kind of board. I know I talked about it, and I wouldn't hesitate for a moment to admit it. And I don't deny for a moment that in our refusal to support the Liberal amendment, there lay a consideration of whether or not the election should fall so soon after Sept. 18, 1975. But I want to say something else, Mr. Speaker.

Mr. S. Smith: When you decide, it is not too soon.

Mr. Lewis: There were a number of people in my caucus, a number of my colleagues, who had profound reservations about the whole rationale of a provincial board —

Mr. Reid: You are having it both ways again.

Mr. Lewis: — and pressed that upon those of us who thought there might be some sense in it. And as I watched the Anti-Inflation Board unfold over the last several months, thank God their will prevailed, because they were right. There should not be a provincial board in this province to give credence to what the federal government has done; and I see that now.

Mr. S. Smith: The push-me-pull-you. You are talking out of two sides of your mouth.

Mr. Lewis: No, I am not; I am telling the House exactly the process that we went through.

Mr. S. Smith: You can't have it both ways.

Mr. Lewis: The Liberal leader is unable to share frankly the views that his party holds, because the views shift too quickly for frankness; it's as simple as that.

Mr. S. Smith: You're talking out of both sides of your mouth—and that's a very painful thing to do.

Hon. Mr. Davis: Careful.

Mr. Lewis: Mr. Speaker, the fact of the matter is that we felt that the Anti-Inflation Board was premised falsely from the outset. I want to remind the Premier, if I may, that the kind of premises which underlay the anti-inflation guidelines, forced the unfairness which, I think, is now universally applied. The Premier will recall it was argued that wage settlements were outstripping everything else, and therefore there had to be some anti-inflation guidelines. It was only after the guidelines were brought down on Oct. 13 that the statistical data began to emerge to show that wages had fallen short of prices on the consumer price index by six, seven or eight per cent, year after year, from 1971 to 1974—and that only in the middle of 1975 had they begun to catch up. With some considerable embarrassment, John Munro admitted that himself after the guidelines had been implemented.

But the fact that the evidence which was brought forward did not coincide with the rationale for the policy, would not allow them to change the policy. The Premier will recall that it was argued that the wage rate increases in Canada were higher than those in the United States. Then after the announcement of Oct. 13 it was learned, lo and behold, that the comparisons are all phoney, for two fundamental reasons. First, 50 per cent of United States negotiated contracts include cost of living arrangements; and only 20 per cent of the contracts in Canada. So, naturally, the wage component in the United States contracts will be smaller. Second, the statistics computed for Canada are based on the lowest wage, whereas the statistics for the United States are based on the average wage, which invariably inflates the Canadian situation. That, too, was noted after the guidelines were brought down on Oct. 13.

The Premier will recall that we were pricing ourselves out of the world market, because wages and unit costs and declining productivity in Canada were such that we could no longer compete on world markets. Then at the end of May, 1976, an outfit called the C. D. Howe Research Institute, on which all of the government's statistics in 1975 had been based, put out a major



correction on the comparisons between the United States and Canada. What did it show? I think this is tremendously significant to the context of the debate—that between 1969 and 1974 the output per manhour of productivity in the United States increased by 1.5 per cent, and in Canada increased by 2.9 per cent. In fact our productivity was nearly twice as great as in the United States every single year, although the alternate premise had been one of the bases for the anti-inflation guidelines.

[12:15]

Then, Mr. Speaker, it showed that between 1969 and 1974 the unit labour cost in the United States had increased by 5.6 per cent, but in Canada by 5.2 per cent; and again, one of the basic rationales on which the anti-inflation guidelines are posited was shot to smithereens. Do you think that for a moment that allowed the federal government to reconsider an ill-considered policy? Not on your life.

Then it was argued, you will recall that because of the trade crisis—the balance of payments crisis; the export decline—that we had to have anti-inflation guidelines, and a careful analysis of the reality allowed the Financial Times to write on Nov. 24, 1975:

A main reason for imposing wage and price guidelines is, according to Ottawa, Canadian manufactured goods are in danger of being priced out of world markets. Neither trade nor price index figures show this to be true.

And I'll say what they did show was that manufactured exports of finished products had jumped 11 per cent in the last year but that exports of raw products were down.

What does that tell you, Mr. Speaker? I'll tell you what it tells the New Democratic Party. It tells us that the answer to the export problem is to refine and process at home, not to apply wage guidelines on workers.

**Mr. Martel:** It will wipe you out of the north.

**Mr. Lewis:** On what we knew at the time to be completely false premises a whole anti-inflation approach was constructed by the federal government and embraced by this government and the prime culprit was to be seen as wages.

Worse still—and this is really incredible to us—even with the pretence, that the government would do something about prices, the Premier managed to endorse an anti-inflation policy which excluded from its definition all

of the important areas of the economy. The government has excluded food prices, it has excluded house prices, it has excluded land speculation, it has excluded energy prices, it has excluded interest rates, it has excluded fully 50 per cent of the consumer price index—that's right, 50 per cent.

**Hon. Mr. Davis:** No.

**Mr. Lewis:** That's not a programme, that's a travesty. That's what it is.

**Mr. S. Smith:** Your economics are something to behold. What should they do about interest rates?

**Hon. Mr. Davis:** You voted for the land speculation tax.

**Mr. Lewis:** I will come to that. The Liberals talk and the Tories talk about doing something for the oppressed, for the disadvantaged—boy, oh boy. Those federal Liberals and Tories have been in power in federal governments in Canada for as long as I can think, and for the lowest 20 per cent quintile in this country, between 1951 and 1974 as a proportion of net income their incomes declined.

**Mr. S. Smith:** But they are not the same people. Many of the people have moved up in this country. Many of the people have moved up and that's what it is all about.

**Mr. Lewis:** They're not the same people? Many people have moved up in this country?

Interjections.

**Mr. Speaker:** Order, please. The hon. Leader of the Opposition, please.

**Mr. S. Smith:** That's what it is all about.

**Mr. Cassidy:** Don't rely on the Liberals.

**Mr. S. Smith:** Growth of income is what it is all about in this country and you should understand that.

**Mr. Cassidy:** Get that on the record.

**Mr. Speaker:** Order, please.

Interjections.

**Mr. Cassidy:** No hope left for those Liberals.

**Mr. Martel:** Give another 20 per cent the right to starve—you nitwit!

**Mr. Speaker:** Order, please.

**Mr. Lewis:** That is an exquisite argument emanating quite appropriately from the leader

of the Liberal Party. As long as it is a different 20 per cent, they can rot—that's as far as he's concerned.

**Mr. S. Smith:** No one is rotting in this country. They are better off than they would be under socialism.

**Mr. Martel:** You couldn't even believe Mickey Mouse.

**Mr. Lewis:** The fact of the matter is, Mr. Speaker, if you feel as a Premier, through the Chair—

**Mr. S. Smith:** Back to your comic books, Elie!

**Mr. Martel:** That's all you read, you moron!

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Control your caucus, will you?

**Mr. Lewis:** I feel my caucus is aroused, Mr. Speaker. Barely contained. They understand the displacement that goes on around here—if I may use a psychological term.

**Mr. S. Smith:** One quarter million votes ahead of you people.

**Mr. Lewis:** You people can't stand being third, but you are going to be third for a long time.

Interjections.

**Mr. Lewis:** Now, if I may say, for Odoardo and Tony and Tony, back to numero uno. I want to speak about the Premier.

You have talked nonchalantly from time to time, you have pulled into your own scheme or arguments the matter that the consumer price index is coming down slightly. Even today in the *Globe and Mail* Ronald Anderson points out that it is very difficult to attribute that to the Anti-Inflation Board, but as a matter of fact it is a matter of some bitter irony that the areas where the consumer price index is declining are precisely those areas which are not covered by the anti-inflation guidelines. Where the guidelines apply, the index is going up, and in fact even where it is not covered at the moment people like Jean-Luc Pepin and others have indicated it will go up in the fall.

What we are fundamentally opposed to is the premise and the operation of the guidelines, their discriminatory application, the way it works. Yesterday the provincial Treasurer hurled at us, as doubtless the Premier will do, the question of alternatives. "We

don't mind your opposing," he said, "that's the job of the opposition, but we want you to propose as well."

I want to say to the Premier, through the Chair, that kind of bravado is positively breathtaking and no one else in this Legislature could get away with it as Darcy McKeough tries to get away with it. For the last five years in this House, I remind you, day in and day out at question period and in every single debate in which we were engaged, we begged you to do something about prices; we begged you to do something about profits. The refrain identified with the NDP, "Who protects the consumer of Ontario?" became discordant music in your ears, and day after day we repeated it and day after day we offered to you every conceivable alternative.

As a matter of fact, you were so embarrassed by the cumulative impact of the discussion of inflation in prices and profits that even John Clement had to initiate a study into 16 major retailing companies in order to show that prices had not increased inordinately in Tory terms.

We put to you at the time a prices review board, we put to you an excess profits tax, we put to you controls on Hydro rates, we put to you responses on oil and gas, we put to you, one after another, the alternatives which could have avoided the extremity of Oct. 13 last and you refused to do it.

**Mr. S. Smith.** And each would have wrecked the economy.

**Mr. Lewis:** Therefore, the chaos is of the making of the government in Ottawa and at Queen's Park and we don't see that it is our obligation to bail you out, frankly. We see that it is our obligation to oppose the principles of this bill.

**Mr. S. Smith:** Turn this into Britain.

**Mr. Reid:** They did in December; they won't now.

**Mr. Lewis:** There is no guile about it, there is no dissembling about it. We said we think you should be defeated on the bill and we are prepared to discuss this matter publicly with you on the hustings, as indeed others seem to be. This isn't in any sense a charade. If we could defeat you on this bill, that is what we would do. But, in order to pull things together, Mr. Speaker, may I say to the Premier, even though it is several months later and even though we concede to him that things are much more complicated now than they were eight or nine months ago, there



are a number of alternatives which we continue to put.

I don't know whether they are the right alternatives or the right answers; they are a different range of options for the people of the Province of Ontario, and we put them now as we put them before and we re-emphasize them in each case, and were we a government it is the kind of thing we would have done in response to Oct. 13 and it is the kind of thing that we urge upon you now.

No. 1. Don't allow a penny increase in any oil or gasoline prices across the Province of Ontario, north or south, until the oil companies have justified their price increases. If you want to deal a body blow to inflation that's one of the prime areas in which to do it.

No. 2. Refuse permission to all automobile insurance companies in the Province of Ontario to raise their insurance premiums by one cent until they have brought them before some kind of board of review of this Legislature or agency of this government. That will do more to combat inflation than all your nonsense in the federal anti-inflation guidelines.

**Hon. Mr. Handleman:** The BC scheme didn't work.

**Mr. Lewis:** Well, that's fine if you want to bring in the Manitoba scheme

**Mr. S. Smith:** Manitoba or BC?

**Mr. Lewis:** If you want to do something in a serious way about inflation, you insist with the federal government that there be amendments to the Bank Act in order to bring those interest rates down, and if you can't get it through the federal government, then you go to the banks yourself, and if you can't do it through the banks yourself, then do what you promised during the election campaign you would do, provide a mortgage rate tax credit and interest rate tax credit, for the people of this province so that the low income earners for whom you weep can have some legitimate response to inflation rather than the curtailment of their wages. That will do something to combat inflation.

If you want to do something about inflation that we would frankly do, and again I am mirroring some of the things which you have talked about and others have talked about in the Tory party, you bring in a 60- or 90-day price freeze covering the commodities that were indicated in the Province of British Columbia, or can I indicate to you the changes in Manitoba reflected in the bill that Ed Schreyer is now bringing before the Legis-

lature on the control of prices because he, too, is losing confidence in the way the guidelines are being applied.

You do that kind of thing in Ontario, a 60- or 90-day price freeze, and then, let me tell you, you will be battling inflation. The whole business of how you handle the invidious matters of public sector wages and private sector wages in Ontario is, I admit, terribly difficult because so many invidious differences have emerged as you embrace the programme. But, Mr. Premier, while I concede to you that this is terribly complex and you have to look at a range of possibilities, if we could urge upon you or if we had the opportunity ourselves in the public sector, we would try to provide some kind of avenue of appeal, some kind of buffer which would protect public sector employees—those groups of them, like the Liquor Licence Board employees, who are particularly discriminated against—from being discriminated against and at the very least, in every single instance of merit, we would go as a government with our employees to the Anti-Inflation Board and say, "give them the settlement they deserve." We wouldn't leave them in the lurch.

**Mr. S. Smith:** We asked the government to do that. We asked them to do precisely that.

**Mr. Lewis:** Let me utter the final heresy to you if I may, Mr. Premier, through the Chair. We would also want to intervene in the private sector. There would be a totally different reaction, and I must say if by chance government changed I suppose this reaction would have to be taken into account. It is certainly the way we would have responded in October.

We would not have felt that the federal Liberals should get away without criticism except from the labour movement and some disadvantaged groups, and now gradually from the Chamber of Commerce, I note with irony, for the imposition of the controls programme without a government fighting on behalf of a number of the individuals involved.

Where the federal guidelines are discriminatory to private-sector wage earners, the government has a moral responsibility to intervene and to fight with the board and to say, "Pierre Trudeau, your guidelines, while legal, are nuts and we will resist them with every capacity at our command." Let me say that had we been the government in this province and Jean-Luc Pepin did to Denison mine employees what that board did without considering the consequences for those miners, they wouldn't have got away with it for 30 seconds. We would have mounted the defences in favour of those workers receiving

a legitimate wage settlement and wouldn't have minded that that was the private sector and the particular prerogative of Jean-Luc Pepin.

Somewhere you have to have a provincial government which doesn't simply endorse these guidelines in a mindless fashion even though their premises are no longer valid. So putting all of that together, plus the need to create some jobs in the Province of Ontario, we are giving you the flavour of an alternative response. No one says it is necessarily valid. No one pretends that is an omniscient answer. Sure, I concede that. All I'm saying to the government is that it is a sense of alternative changes for the Province of Ontario.

[12:30]

I will draw my remarks to a close. I don't want the Premier forever to ask us to play by the rules of his game. This is the club of the Legislature, but don't ask us to play by the rules of the government's game. Putting it as simply as I can, we in the New Democratic Party don't like the economic priorities the government has struck. We don't like the values of the economic system which it has structured. We don't like the inequities which are reflected in it and which the anti-inflation guidelines reinforce. We are in simplest terms democratic socialists who would wish to change the economic priorities in Ontario and make them more equitable and more just for the people of this province.

**Mr. MacDonald:** If you want to fight an election on that, just try it.

**Mr. Lewis:** Yes, I'd have no qualms about that, and putting the alternatives. That leads me to my last brief point and then I'll take my seat. I appreciate the members allowing me to go about two minutes overtime. There has been much talk of vested-interest groups, of people who are tied to other people. I don't see politics that way and never have. I understand that political parties have some philosophic colleagues in other social institutions. We regard the trade-union movement as a terrible important movement for social change, dealing not only with its own membership but in the broadest possible scope with all sectors of society, far more usefully, I may say, than Liberal parties, federally or provincially, can ever dream of doing.

**Mr. Reid:** They regard you as a puppet.

**Mr. Lewis:** We regard the Tories as a party philosophically at ease with corporate interests. So what? What we are putting to you

in this Legislature is some kind of basic alternative. We think the day is fast approaching when that opportunity for alternative choice should be put to the people of Ontario.

What is being debated today is the latest in a succession of unhappy government reversals. I thought it would be the final reversal of this month. I note, after that extraordinary announcement about Doctors Hospital yesterday, the government is into yet another pattern of retrenchment and retreat. There seems to be no end to it. I say to the Premier, thoughtfully and respectfully but forcefully, what he surely must do very soon is not so much to seek the mandate of the Legislature but to seek another mandate from the province.

**Hon. Mr. Davis:** I really just wish to add a few unprovocative thoughts with respect to the matters that we are discussing as we approach second reading and the vote on this very important piece of legislation. In the very few moments that are available, and I do not intend to prolong this debate because I think all that has been said is perhaps all that is necessary, I'm going to try to get through to the Leader of the Opposition and perhaps point out to him the total lack of logic, the great contradiction and the lack of responsibility that really he is presenting on behalf of his party to this House on this occasion. Perhaps when I'm finished my remarks he will see that I'm right and that he is wrong and he will make second reading very simple and it will be unanimous here in this House.

**Mr. Lewis:** I might not be able to bring all my colleagues with me.

**Hon. Mr. Davis:** No, I sense that the Leader of the Opposition would have some difficulty with a few of his colleagues, but there are some reasonable ones there. I can't identify them because in identifying them I would exclude others and they would be upset and I don't want to do that on this occasion.

**Mr. MacDonald:** You haven't listened to what he said.

**Hon. Mr. Davis:** I really think there are some differences, and this has become very obvious during this debate, among the three parties in this House. There are some very obvious differences. The one thing about this government and the party that I lead is—and I do like boating and I use the nautical sort of story—if I or if this government sees somebody in trouble, perhaps



drowning, the first thing we would do would be to—

**Mr. Reid:** Throw him an anchor?

**Hon. Mr. Davis:** No, we would throw them a very sturdy rope with a life jacket attached to it. Do you know what the Liberal Party would do?

**Mr. Lewis:** That's an old joke.

**Hon. Mr. Davis:** You would spend half an hour debating who owns the rope before you throw it. You people would throw several ropes, all of them too short, and only to your friends. That would be the very major differential among the three parties.

**Mr. Roy:** You know what you would do? You'd give them a legal opinion.

**Hon. Mr. Davis:** That's right.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I stopped giving legal opinions some 14 years ago.

**Mr. S. Smith:** I think what you should have done is thrown in the towel.

**Hon. Mr. Davis:** The member for Sarnia, the member for Ottawa East and the member for Wilson Heights—I don't know about the member for Armourdale (Mr. Givens) or the member for Kitchener—are still all giving legal opinions. I had to forgo that some years ago. Hopefully, those learned gentlemen will never have to forgo that great pleasure, because I expect—

**Mr. Reid:** You couldn't do any worse.

**Hon. Mr. Davis:** —they will still be able to continue in private practice for many years yet to come without making the sacrifices of becoming a minister of the Crown. I can see that never happening.

**Mr. Breithaupt:** We're practically there now.

**Hon. Mr. Davis:** Oh, Jimmy, you wouldn't want to be. Think what you would have to give up, the lifestyle.

**Mr. Bullbrook:** It looks like a pretty expensive suit you have on.

**Hon. Mr. Davis:** I have to tell you that it is one of my more modest ones, selected by my wife.

**Mr. Bullbrook:** You look pretty in it today.

**Mr. Speaker:** Order, please. We're wasting valuable time.

**Hon. Mr. Davis:** It was done totally within the restraint programme, I assure you.

**Mr. MacDonald:** You have wandered away from the bill.

**Hon. Mr. Davis:** Mr. Speaker, I do apologize to members of the House if I'm wandering away from the principle of the bill, because in this way—and I don't do it too often—I'm only following the example of so many of the speakers opposite over the past day and a half.

**Mr. MacDonald:** Verbally, I mean.

**Hon. Mr. Davis:** Mr. Speaker, I would say to the member for York South, certainly I wander. I wander in what I say from time to time. However, unlike the member for York South, I do have certain objectives and this government has achieved those objectives, which is something the member for York South is going to be frustrated about the rest of his political life.

**Mr. MacDonald:** Is that right? You want to bet on it?

**Hon. Mr. Davis:** Yes, sure.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I don't know whether it's parliamentary or not. I'll bet \$1 with the member for York South, and for me that is a significant bet.

**Mr. Breithaupt:** Double or nothing.

**Hon. Mr. Davis:** No, no, no double or nothing. I'll bet \$1.

**Mr. MacDonald:** I'd be taking money off you.

**Hon. Mr. Davis:** Mr. Speaker, I've monitored very carefully the suggestions and the thoughts being expressed by the members opposite. I didn't have an opportunity to hear all of them. I regret I didn't hear some of the very learned arguments from the member for Sarnia here, but I did hear some of them in my office and I do sympathize with him, because there is no question, the Leader of the Opposition is right; the member for Riverdale has been given more credit during these deliberations than he deserves, you have received less than you deserve but neither of you really, thank heaven, have ever had the responsibility of the Attorney General of this province and

that gives me great comfort in the long run. I would say, when the member for Sarnia refers to the Attorney General of this province then—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Davis: —I guess it was the member for Ottawa East who was talking about the nine-zip decision—

Mr. Roy: That's right.

Hon. Mr. Davis: Oh, I like that phrase, nine-zip. It's very contemporary, nine-zip. I would only say to the member for Sarnia, the Attorney General's batting average is still 100 per cent better than the leader of his party successively over the past number of years, which is a fact that has not escaped the member for Sarnia and that was very obvious today. I say that kindly. I say that very kindly.

Mr. Bullbrook: I don't know what you're talking about. Maybe somebody else can tell me.

Mr. Lewis: Why don't you say it unkindly?

Hon. Mr. Davis: Well, I am not an unkind person. How could I say it unkindly?

Mr. Lewis: No, you are not.

Hon. Mr. Davis: I am getting back to the bill.

Interjections.

Mr. Speaker: Order, please. I think the House would be better served if there were fewer interjections.

Hon. Mr. Davis: I have a lot to say about the bill, and I am getting around to it. We still have a few minutes.

Mr. Roy: And you should get the legal opinion—

Hon. Mr. Davis: You know, Mr. Speaker—

Mr. Roy: —from the member for Scarborough Centre.

Mr. Speaker: Order.

Hon. Mr. Davis: I think the leader of the Liberal Party and his really, I think, strong and intense criticism of the official opposition—

Mr. Lewis: Venomous.

Hon. Mr. Davis: Venomous is a very good word.

Mr. Lewis: Rabid.

Hon. Mr. Davis: No, rabid has a connotation to it that I wouldn't apply to the member for Hamilton West.

Mr. S. Smith: I know you two admire each other but—

Hon. Mr. Davis: Venomous, maybe; but rabid, no. That would be unfair and unkind and I don't want to be either of those things.

Mr. S. Smith: Why not? It's summertime.

Hon. Mr. Davis: And, of course, I noticed that the member for Riverdale and the Leader of the Opposition were attacking with some enthusiasm the Liberal Party of Ontario. In fact, as we sat here we really wondered who was engaged in the debate. It really seemed to be a debate once again as to—

Mr. S. Smith: You haven't been part of it at all.

Hon. Mr. Davis: —who wants to be number two. Well, gentlemen, I say to both of you, God bless you both. You can both be number two as far as I am concerned, because neither of you will ever be number one.

Mr. S. Smith: Don't bring Darcy into it.

Hon. Mr. Davis: But I did find it interesting—

Mr. Cassidy: Want to bet?

Hon. Mr. Davis: Listen, I have stretched the weekly budget with the one bet I have made. I can't really take on another one today.

Mr. Lawlor: Back to the bill.

Hon. Mr. Davis: I would guess, Mr. Speaker, that the member for Hamilton West has sort of unhappy feelings at this moment, and they relate back to events of last fall. I can understand this. They, in their wisdom at that time, opposed provincial boards.

Interjection.

Hon. Mr. Davis: Were in favour, rather, of provincial boards. They were in support of them. The New Democratic Party, for what was then obvious political expediency, did not want to join with them. The Leader of the Opposition today is very brave because he knows that the Liberal Party, for once, is



showing some judgement and is going to support the government.

**Mr. Cunningham:** They were right then.

**Hon. Mr. Davis:** That makes them feel more courageous. The rhetoric flows more easily.

**Mr. Lewis:** I am regretful.

**Hon. Mr. Davis:** I listened to the NDP leader's description of Jean-Luc Pepin. I have not had the pleasure of listening to him, but if the member does have some things in common, as I suggest he was suggesting to the House in the way he described him, he really was describing himself.

**Mr. Foulds:** I thought he was the psychiatrist.

**Hon. Mr. Davis:** The one thing that he did not say, and where he exceeds Jean-Luc Pepin by a mile, is in his own degree of self-righteousness and as he demonstrated his position here.

**Mr. Lewis:** Sanctimonious.

**Hon. Mr. Davis:** That's true. It reminds me a little bit of the debate on the Metro teachers situation.

**Mr. Martel:** It is our halo.

**Hon. Mr. Davis:** Well, the halo as far as the NDP is concerned has slipped substantially; but we will leave that for another occasion.

**Mr. Martel:** Why don't you try it out with the people, then?

**Mr. Speaker:** Order, please.

**An hon. member:** You are sanctimonious.

**Hon. Mr. Davis:** Mr. Speaker, they are interrupting—and I am always reluctant to have interruptions.

**Mr. Moffatt:** There is nothing to interrupt.

**Hon. Mr. Davis:** It reminds me of their position on the Metro teachers bill. I can recall speaker after speaker getting up and saying—

**Mr. Cunningham:** Teacher after teacher.

**Hon. Mr. Davis:** —“The teachers have got to go back in the classroom. The schools have got to function. But on a matter of principle, we are going to vote against the bill.” I remember the member for Windsor-Sandwich coming into my office, as he should

have, with some of his constituents when they—

Interjections.

**Hon. Mr. Davis:** He did. He came in with them. And the member for Windsor-Walkerville (Mr. B. Newman) was also there. The member for Windsor-Sandwich sympathetic to the plight of the parents in Windsor because those students were out of school. And, “Gosh, we've got to do something about it. We've got to get those schools open.” Those parents left my office saying, “Gosh, Mr. Bounsall is a nice man. He is going to vote for that.”

**Mr. Lewis:** I guess everybody says gosh after they leave your office.

**Hon. Mr. Davis:** He is going to get them back to work. No question that was their impression. What does he do? He comes into the House and votes against getting the schools open in Windsor. Never believe it.

**Mr. Bounsall:** We voted for a bigger alternative.

**Hon. Mr. Davis:** Here today, as they did yesterday, those people across the House say they are opposing this on a matter of principle. They don't like the anti-inflation programme. I am not going to quarrel with that. I have never said that we are totally satisfied with all aspects of the AIB. No question that we are not.

Interjections.

[12:45]

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I don't think there is a resident of this province or of this country who is totally satisfied, but one thing I am satisfied about—

**Mr. Lewis:** It is satisfying.

**Hon. Mr. Davis:** I'm not satisfied, I am concerned about, something the Leader of the Opposition still doesn't totally understand—that this country last fall faced serious economic difficulties.

**Mr. Lewis:** Right. Right.

**Hon. Mr. Davis:** We are not out of the woods yet. We are making progress. I hate to give credit to the government of Canada, I am a partisan Tory and I don't mind admitting it.

**Mr. Peterson:** Go ahead.

**Mr. Roy:** We will forgive you.

**Hon. Mr. Davis:** But I do say—

**Mr. Lewis:** You are talking about expediency.

**Hon. Mr. Davis:** —that if the federal government had to do something, in my view they should have acted perhaps in a different fashion earlier and there was a political leader in this country who said so and the public didn't agree, and it's wonderful how you people have become converted, tremendously encouraging. The fact is you would have us sit around and do nothing.

**Mr. Lewis:** No.

**Hon. Mr. Davis:** You would see the economy of this country go down the drain, and you talk about the groups you want to protect. I know what your kind of protection means and you revealed a good deal of it today.

**Mr. S. Smith:** They would make sure everybody had the same wage—nothing.

**Mr. Speaker:** Order, please. Fewer interjections, please.

**Hon. Mr. Davis:** You oppose controls of this nature, but you would totally control the energy industry.

**Mr. Lewis:** Totally, no.

**Hon. Mr. Davis:** You certainly would.

**Mr. Lewis:** Yes, we wouldn't let energy go.

**Hon. Mr. Davis:** You would control the automotive insurance industry, you would control the resource industry, you wouldn't have to sympathize with the workers at Denison Mines, you have a simpler solution. You would become the president of Denison Mines. You would take it over. Certainly you would.

**Mr. Lewis:** That is an interesting thought. I'd like to consider it.

**Hon. Mr. Davis:** Can't you just see Elie Martel, general manager of Inco?

**Mr. Martel:** I'd consider it a promotion.

**Hon. Mr. Davis:** The hon. member is a man of some principle, and I say some principle, I've got to tell the Leader of the Opposition I think he would abandon his principles if anybody were foolish enough to offer him the job. They won't.

**Mr. Lewis:** It will be a Crown corporation.

**Hon. Mr. Davis:** But if that were to happen, I will take the phrase from the member for Ottawa East, instead of it being one of the major economic contributors to the Province of Ontario, International Nickel under his direction would be zip in terms of the economy of this province. No question about it, Elie. It would happen.

Interjections.

**Hon. Mr. Davis:** And the other alternative—

**Mr. Lewis:** This is excellent. What do you have for Jim?

**Hon. Mr. Rhodes:** Sympathy.

**Hon. Mr. Davis:** I think the member for Riverdale should be appointed to the Supreme Court.

**Mr. Lewis:** What about MacDonald?

**Hon. Mr. Davis:** I don't know who should go first, the member for Riverdale or the member for Sarnia.

**Mr. Conway:** Elected, as suggested by Frank Drea.

**Hon. Mr. Davis:** I have a feeling that if both the member for Sarnia and the member for Wilson Heights were offered the opportunity, the member for Hamilton West would have to be looking for new candidates right away. They'd accept the job. I would make that prediction.

**Mr. S. Smith:** The member for Scarborough Centre (Mr. Drea) is ahead of them now.

**Hon. Mr. Davis:** I listened to your alternatives, and I just have to say, and I say this very constructively to the Leader of the Opposition, your alternatives presented in this House this morning were just pure nonsense.

**Mr. MacDonald:** Take it out on the hustings and we will try it.

**Hon. Mr. Davis:** Pure unadulterated nonsense.

Interjections.

**Hon. Mr. Davis:** It's true. They don't come to grips with the problem. They don't deal with the problem whatsoever.

**Mr. Makarchuk:** Take it to the people if it is nonsense.

**Mr. Speaker:** Order, please.



**Hon. Mr. Davis:** They don't deal with the problem whatsoever. Of course they don't.

**Mr. Lewis:** Energy, food, insurance.

**Hon. Mr. Davis:** We'll enumerate them. You talk about the consumer price index and what's behind it. How many people voted for the land spec tax? How many did?

**Mr. Lewis:** And what has happened?

**Hon. Mr. Davis:** I will tell you what has happened. The price of land has been stabilized because of that tax and you people voted against it.

Interjections.

**Hon. Mr. Davis:** You get into the cost of housing—

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** You talk about your opposition to control philosophically. Do you know really what you are saying to the people of this House and the people of the Province of Ontario? Your solution, I understand. I've understood it for years.

Interjections.

**Hon. Mr. Davis:** No, you wouldn't have an Anti-Inflation Board, you wouldn't have an inflation programme. No, what you would have would be a totally controlled economy, controlled individuals, so they were all totally responsible to the state. That's your basic approach. That's how you solve a problem and that is the basic differential that exists between us.

You would solve the economic problems like Barrett did in British Columbia, tremendous solutions. Your philosophy has certainly enhanced the economy of the United Kingdom. They have done well under that sort of philosophy. We can go to jurisdiction after jurisdiction and we will find—

**Mr. Lewis:** They inherited it from the Tories.

**Hon. Mr. Davis:** Pardon?

**Mr. Speaker:** Order, please.

**Mr. Wildman:** They went broke with the Tories.

**Hon. Mr. Davis:** What was that again? I couldn't hear you.

**Mr. MacDonald:** What are your views on the bill?

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Mr. Speaker, I want to thank the leader of the Liberal Party —

**Mr. Speaker:** Order, please. Fewer interjections and we'll get on with the debate.

**Mr. Lewis:** Come on, if you are so confident about it, let's take it to the people.

**Mr. MacDonald:** He has nothing to say. He is inviting the interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Mr. Speaker, I have to be very honest with the members of the House, I don't mind at all the interjections.

**Mr. MacDonald:** I know you don't, because you have nothing to say.

**Hon. Mr. Davis:** I find them stimulating and revealing, and they usually reveal not much thought but they're stimulating. To get back to the principle of the bill —

**Mr. Sweeney:** Are you from Scarborough Centre?

**Hon. Mr. Davis:** — the principle is very simple. There was a court decision handed down on Monday. I don't know when it was made but it was handed down on Monday. The position that was taken with respect to the constitutionality of the federal legislation was upheld; a position supported, obviously, by this government and, I think, the public generally. This government did enter into an agreement. There was no secret about it. The agreement was tabled. The member for Sarnia can couple me with the Prime Minister of Canada, I won't comment on that. He does some things I don't; I may do some things he doesn't, I don't know. But I would say to the member for Sarnia, there was an opportunity on several occasions, if you did not like that which we did you had opportunities in the past three months to move no-confidence motions. You had an opportunity to vote with those people a few weeks ago. You have an opportunity today. The truth of the matter is, you know —

**Mr. Bullbrook:** What are you talking about? We did. We already did.

**Hon. Mr. Davis:** — in your own heart of hearts that the route we went, the determination we made that we would not have a separate board for certain groups in the Province of Ontario was right.

**Mr. Bullbrook:** Where were you? We did.

**Hon. Mr. Davis:** You also know that last fall you would not have supported it. Certainly not.

**Mr. Bullbrook:** You sound like Barry Goldwater now.

**Mr. S. Smith:** We know you are right, very right.

**Hon. Mr. Davis:** I would say to the member for Hamilton West there are some days when I think he is trying to carve a niche for himself and his party in a position even to the right of the Treasurer of the Province of Ontario. It isn't going to wash.

**Mr. S. Smith:** God forbid.

**Mr. Reid:** That's right of Attila the Hun.

**Hon. Mr. Davis:** My colleague said there isn't any room.

**Mr. S. Smith:** The world isn't that round.

**Hon. Mr. Davis:** Where is your great affection for all of these groups? I felt your attack on the OSSTF, but I say this reasonably because I've had my differences, some of them are still here.

**Mr. Breithaupt:** On the press release.

**Mr. Lewis:** It was unbalanced.

**Hon. Mr. Davis:** I thought it was a shade unfair. Did you read to the House the last line of their press report? They supported the anti-inflation programme. They just want one that more suits their purposes.

**Mr. Breithaupt:** Yes, I've got it.

**Mr. S. Smith:** If it gives them 39 per cent.

**Hon. Mr. Davis:** That's understandable. I can understand that. I just don't happen to agree with it. At least, I wasn't one of those last fall who did and is today changing my mind. You agreed with it last fall. You wanted a provincial board. The inequities that would have been created for the people of this province would have been grossly unfair.

**Mr. S. Smith:** That's arrant nonsense. It would have applied the same guidelines and you know it.

**Hon. Mr. Davis:** Let me tell you this, if this province had not discharged what we think is something of a national responsibility —

**Mr. Lewis:** Don't promote it. Be careful, you're walking on thin ice. You could provoke a spontaneous election.

**Hon. Mr. Davis:** I have spent all of my political life walking on thin ice, but I would say to the hon. member we've managed to survive and we're going to survive for a lot longer yet. I thank the member for Hamilton West for his party's support. I recognize it's a great change of position, a change of heart, which gives me encouragement.

**Mr. S. Smith:** It's just too late now to do what should have been done in the first place.

**Hon. Mr. Davis:** You still think we should have provincial boards?

**Mr. S. Smith:** Yes, we should have had it but it's too late.

**Mr. Speaker:** Order, please. There are only a few moments left.

**Hon. Mr. Davis:** I find your position even more difficult to understand.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** We're making no apologies for entering into that agreement nor are we making any apologies for making the decision, which is really basic to the debate, that the public sector in this province should be treated in the same fashion as the private sector.

**Mr. Lewis:** Unfairly.

**Hon. Mr. Davis:** I talked to some of my friends who are supporters of yours—I'm not sure as enthusiastically as they were—members of the UAW. They say to me very simply—

**Mr. Breaugh:** Get out.

**Hon. Mr. Davis:** "If Jean-Luc Pepin is going to adjudicate what I get, why in heaven's name shouldn't he adjudicate what everybody else gets in the Province of Ontario?" Tell me what's wrong with that? Where is the lack of equity?

**Mr. Lewis:** The whole programme is wrong.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** But we have the programme.

**Mr. Lewis:** We don't have to co-operate with it. Why do we have to co-operate with it?

**Hon. Mr. Davis:** No, you still want to hold out to these people from the teachers' federa-



tion that you are supporting their point of view. You're saying this to the whole public sector. Of course you are.

It is just like the teachers bill—you try to have it both ways. Mr. Speaker, it is as simple as this. If this bill does not pass, it's not a question of Davis or chaos; I tell you right now, there will be chaos. There will be inequities.

Mr. Lewis: There is chaos.

Hon. Mr. Davis: Sure, the temptation is great. Believe me, it is great. It was great on Monday to say, "Let's test the political feelings of the people of this province." Mr. Speaker, there would be 38 to 40 days during which there would be very great difficulties and I think it would be totally irresponsible. I've got news for the Leader of the Opposition; I've got news for the member for Hamilton West. It may cause him some doubts. We're just as eager, at the proper time, to test the feelings of the people of this province. I want to tell the NDP leader and the member for Hamilton West something—

Mr. S. Smith: We have our own surveys if you would like to see them.

Mr. Cassidy: Always tomorrow, but never today.

Hon. Mr. Davis: —they have a lot of homework to do before they test them.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Davis: A lot of homework to do.

Mr. S. Smith: At the proper time we will make a fight.

Mr. Lewis: You would be going now if you felt secure.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I'm a competitive political person but I also have the responsibility of being Premier of this province. I say to the Leader of the Opposition that if he wants to demonstrate responsibility, here is the opportunity. There is no alternative to the passage of this bill.

Mr. Lewis: Okay; pass it.

Hon. Mr. Davis: If he wants to see chaos in this province, if he wants to see pensioners and others, the disadvantaged, further suffer from the ravages of inflation, let him vote

against it. I would say very simply that his alternatives here this morning present no viable solutions to the problems of inflation in this province and this country.

I know his solution. It's simplistic; it's total control and we reject it. I say as simply as I can—there are about 10 minutes left—please consult with your colleagues; for once, exercise some responsibility and support the passage of this very important bill which is essential to the economic welfare of so many people in this province.

The House divided on the motion by Hon. Mr. McMurtry for second reading of Bill 127, which was approved on the following vote:

AYES	NAYS
Auld	Angus
Belanger	Bain
Bennett	Bounsall
Bernier	Breaugh
Birch	Bryden
Breithaupt	Burr
Brunelle	Cassidy
Bullbrook	Davidson
Campbell	(Cambridge)
Conway	Davison
Cunningham	(Hamilton Centre)
Davis	Deans
Drea	Di Santo
Eakins	Dukszta
Edighoffer	Ferrier
Evans	Foulds
Ferris	Germa
Gaunt	Gigantes
Givens	Godfrey
Good	Grande
Gregory	Laughren
Grossman	Lawlor
Haggerty	Lewis
Hall	Lupusella
Handleman	MacDonald
Henderson	Mackenzie
Hodgson	Makarchuk
Irvine	Martel
Johnson	Moffatt
(Wellington- Dufferin-Peel)	Philip
Johnston	Renwick
(St. Catharines)	Samis
Jones	Sandeman
Kennedy	Warner
Kerr	Wildman
Kerrio	Young
Lane	Ziembra—35.
Leluk	
MacBeth	
Maeck	
Mancini	
McCague	
McEwen	

## AYES

McKeough  
McKessock  
McMurtry  
McNeil  
Meen  
Miller  
(Haldimand-Norfolk)  
Miller  
(Muskoka)  
Morrow  
Newman  
(Durham-York)  
Newman  
(Windsor-  
Walkerville)  
Nixon  
Norton  
O'Neil  
Parrott  
Peterson  
Reed  
(Halton-  
Burlington)  
Reid  
(Rainy River)  
Rhodes  
Riddell  
Rollins  
Roy  
Ruston

## AYES

Scrivener  
Shore  
Singer  
Smith  
(Hamilton  
Mountain)  
Smith  
(Hamilton West)  
Snow  
Spence  
Stephenson  
Sweeney  
Taylor  
Timbrell  
Villeneuve  
Welch  
Wells  
Wiseman  
Worton  
Yakabuski—80.

**Clerk of the House:** Mr. Speaker, the "ayes" are 80; the "nays" 35.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

Agreed.

The House recessed at 1 p.m.



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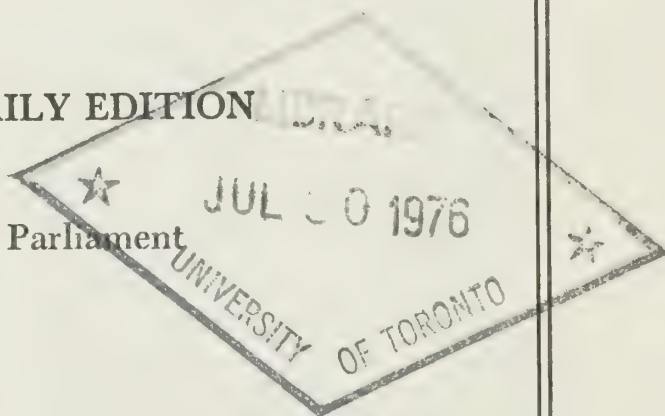


Ontario

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament



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Thursday, July 15, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, JULY 15, 1976

The House met at 2:05 p.m.

Prayers.

## OMBUDSMAN'S REPORT ON PICKERING

**Mr. Speaker:** Just before we commence the business of the afternoon, I want to inform the House that I have received, on behalf of the House, the report of the Ombudsman relating to the North Pickering project, together with his letter of transmittal, which I feel I should read to the House. The letter is addressed to me.

Dear Mr. Speaker:

Re the North Pickering project, on June 22 last I sent my report in connection with the North Pickering project and my recommendations as Ombudsman to the hon. John Rhodes, Minister of Housing.

On July 7 last, Mr. Rhodes wrote to me rejecting my recommendations for the reasons he amplified in a press statement of the same date. Subsequently, on July 8, I delivered to the Premier, the hon. William Davis, a copy of the report. I did this pursuant to the provisions of section 22, subsection 4, of the Ombudsman Act.

In my letter to the Premier I urged him to accept my report and its recommendations. I had useful meetings with the Premier on Wednesday, July 14, and a further meeting at 10 a.m. today, Thursday the 15th. I feel encouraged by these discussions, and feel they should continue for a reasonable time and so long as hope exists that a resolution of the problem arising out of my report can be worked out.

However, I have a dilemma. The Legislature is now in session. Section 22, subsection 4 of the Act also authorizes me to make such a report to the assembly itself on the matter as I see fit. The statute reads as follows:

If, within a reasonable time after the report is made, no action is taken which seems to the Ombudsman to be adequate and appropriate, the Ombudsman in his discretion, after considering the comments, if any, made by or on behalf of any governmental organization affected, may send

a copy of the report and recommendations to the Premier and may thereafter make such reports to the assembly on the matter as he thinks fit.

If I do not report to the assembly forthwith, the whole affair could not be dealt with by members of the Legislature until October when the House resumes again. This delay would be unfortunate from the point of view of the Pickering landowners. If I report immediately, the present sitting of the Legislature becomes seized of the matter and in the event that my discussions with the Premier do not result in satisfactory solution, the matter could then be dealt with either later this month or very early in August, assuming the members of Legislature are agreeable to such an arrangement.

Accordingly and pursuant to section 22, subsection 4 of the Act, I am now therefore reporting to the assembly through you. I am enclosing a copy of my report in connection with the North Pickering project and I am also enclosing a copy of my letter to the Premier, dated July 8, 1976.

Notwithstanding this, I would very much hope the Premier and I be given the fullest possible opportunity to continue our discussions and that any review of the matter by the Legislature would be held in abeyance until our discussions are concluded. I would be grateful if you would forward a copy of this letter and the enclosures to the Leader of the Opposition, Stephen Lewis, and to the leader of the Liberal Party, Dr. Stuart Smith.

Additional copies of my report on the North Pickering project are being distributed to all members of the Legislature.

Yours faithfully,  
Arthur Maloney,  
Ombudsman

**Mr. Singer:** Mr. Speaker, on a point of order, the matter now being in your hands and so in the hands of the Legislature by virtue of the statute, could you tell the House how you propose to deal with it? The statute is silent insofar as to what happens after the third step has been taken. The first step was, a report goes to the minister. If the minister does not concur with it, it then goes to the Premier. If the Premier does not

concur, it then goes to the House. It is here now, having taken that route. With great respect to the Ombudsman, I don't think it lies within his mouth to suggest when it be dealt with.

I see the Premier has a piece of paper there; perhaps he has a resolution. In the absence of something positive, perhaps I could pursue this point. But I'll gladly give way to the Premier if he wants to speak in regard to that.

**Mr. Speaker:** Statements by the ministry.

### OMBUDSMAN'S REPORT ON PICKERING

**Hon. Mr. Davis:** Mr. Speaker, I have a statement related to this matter which has been discussed by the House leaders. As members are aware, the Ombudsman has recently filed a report with the Minister of Housing with respect to land acquisitions in the North Pickering area.

Pursuant to the report and the response setting out the position of his ministry by my colleague, I met with the Ombudsman twice yesterday and once this morning to consider the most appropriate fashion for dealing with the recommendations in his report.

As members are aware, the Act establishing the Office of the Ombudsman, which provides for filing with the Speaker any report which the Ombudsman believes should be filed, after consultation with the minister involved and the Premier, does not provide for remedy thereafter.

While the report might be debated that would not necessarily provide for the remedy suggested in the Ombudsman's report for the aggrieved citizens. Similarly, while a vote in the Legislature might approve a report, while that vote may or may not be deemed by the Legislature to be a matter of confidence, the end result could still fail to achieve any of the remedies suggested in the Ombudsman's report.

In essence, therefore, the real purpose of the Ombudsman's office, namely to identify administrative injustice and recommend ways for justice to be done, might ultimately, in terms of the individuals involved, still be frustrated by events beyond anyone's control.

This government believes it is critical that the Ombudsman's office not only have the capacity to bargain, persuade and play the role of advocate for the private citizen who feels aggrieved but that the Legislature

should as well have the capacity to consider in a thorough and thoughtful fashion any of those recommendations or findings of the Ombudsman that the government has not, through negotiation, been able to accept. A similar view was, in fact, expressed by the committee on the Ombudsman and listed in Votes and Proceedings, Dec. 11, 1975, and was a procedure in which the Ombudsman expressed positive interest on Nov. 13.

It is therefore the intention of the government, with the co-operation of the House leaders, to strike a select committee of the Legislature which shall meet when and if it is impossible for the Ombudsman and the government to reach an equitable agreement on any findings or recommendations in any report.

With respect to the North Pickering situation, I will continue to discuss the matter with the Ombudsman in an effort to find the equitable solution which I still believe to be possible. If, however, it becomes clear that both the Ombudsman and the Premier must agree to disagree, the matter could be dealt with immediately by the select committee appointed by this House to deal with specifically this type of circumstance. The report of that committee would then be formally before the House to deal with as it felt appropriate.

It is the view of the government that this mechanism will, in fact, provide a formal legislative vessel in which the recommendations of the Ombudsman can be conveyed to the Legislature for discharge as members of this House feel appropriate, based on the assessment of an all-party committee of this Legislature, a procedure which I understand to be acceptable to the Ombudsman.

This procedure enhances the capacities of the Ombudsman to place matters of urgency on the agenda of the Legislature while ensuring the Legislature's right to participate in the process of ensuring equity and protection for the broad public interest in the assessment of all recommendations in any report of the Ombudsman which the Ombudsman, in his wisdom, refers to this assembly.

**Mr. Lewis:** I gather there will be a motion moved later on the Ombudsman and that will open up an avenue for debate?

**Hon. Mr. Davis:** Yes.

**Mr. Lewis:** Fine.



## HOSPITAL CLOSINGS

**Mr. Lewis:** A question to the Premier, if I may. What possible rationale is there for providing an avenue of reprieve, about which all of us are pleased, for Doctors Hospital in Toronto without providing the same avenue of reprieve for the other community hospitals which have been closed down by the government? How can the Premier justify the further discriminatory treatment against Clinton, Durham, Paris and Chesley?

**Hon. Mr. Davis:** Mr. Speaker, I think that matter might be more properly answered by the Minister of Health (Mr. F. S. Miller). I would make a technical correction to the Leader of the Opposition's question; the government has not closed those hospitals.

**Mr. Bain:** Not because you didn't want to.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** By way of supplementary, I would turn to the Minister of Health, but he's not here.

**Hon. Mr. Davis:** He will be here.

**Mr. Lewis:** This may be the last day for a bit. Let me hope that he comes in; if so I will revert.

## POLLUTION REPORT

**Mr. Lewis:** May I ask the Minister of the Environment a question? He is aware, I take it, that deep in the catacombs of his ministry there is something called "Alternative Proposals for Pollution Abatement in the Ontario Pulp and Paper Industry," by Jack Donnan and Peter Victor, dealing with northwestern Ontario in a way highly critical of the government; that the report has been available to the ministry since 1973 but not yet released? When is it to be released?

[2:15]

**Hon. Mr. Kerr:** Mr. Speaker, I think that report was made available in 1974. I'm not exactly sure of the date. I haven't seen it, but I question whether it is highly critical of the government. It does make certain observations regarding our dealings with the pulp and paper industry and what methods we should use to make sure that they are adhering to our standards—effluent standards and emission standards—and it makes certain suggestions.

The report, as I understand it, is basically an in-house report. It was commissioned for the purpose of establishing policy within the ministry and with the government, and apparently there was no intention of making the report public or releasing the report.

I have discussed this with the officials in my ministry as a result of a letter from the environment critic in the NDP caucus and I hope to have a decision on that. I think the report will have to be released and discussed, but as I say, some of the observations made in the report regarding how we should deal with the paper industry have been, in fact, implemented and some have been rejected, but I would expect the report will be released.

**Mr. Lewis:** The minister has an astonishing grasp for someone who hasn't read it, but then that's understandable.

I must ask, by way of supplementary, could the minister treat it as a matter of some urgency, given the Reed Paper negotiations at the moment, the incipient agreement? I understand that the way in which the report deals with the pulp and paper industry is such a departure from the fashion in which it has been dealt with hitherto that it might bear on those negotiations. Could he therefore get it out quickly?

**Hon. Mr. Kerr:** I'll get it out as quickly as possible.

**Mr. Lewis:** Oh I'm sorry, the Minister of Health isn't here. Where is the House leader? He's not here either, my goodness.

**Mr. B. Newman:** He is hiding.

**Mr. Conway:** Giving Lorne Henderson a Wintario grant.

## HOSPITAL CLOSINGS

**Mr. Lewis:** I'll go back then to the Premier, not reluctantly but forcefully: I want to know why the government is removing from the other hospitals a further non-legal route of appeal which it is clearly giving to Doctors Hospital by including it appropriately in a new survey of beds and utilization rates in this area? Why should those outlying community hospitals be chopped off through the court process when we have opened up an alternative process for one?

**Hon. Mr. Davis:** Mr. Speaker, I think if the Minister of Health were here he would explain to the Leader of the Opposition that they are quite different situations. We're dealing here in Metropolitan Toronto with a

study that encompasses several thousand beds, a number of hospitals and a very large population.

**Mr. S. Smith:** And a lot of votes.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I'm trying to explain it as logically as I can. I think the minister contemplates in his study, hopefully, other information that could assist in the rationalization of health services in Metropolitan Toronto. I don't think it can be related to the situation of Durham and Clinton. I really think we're talking about different issues and, with great respect, I can't really see the parallel the Leader of the Opposition is attempting to draw.

**Mr. S. Smith:** It feels different being sick in Toronto, I suppose?

**Mr. Conway:** Anything to save Grossman.

**Mr. Lewis:** Is the Premier trying to put upon the House that the health needs and the health priorities in Metropolitan Toronto are somehow more sacred than they are in Durham or Chesley, or Clinton or Paris? Why is he making this invidious distinction? They all went to court. We're giving special rights to one of them, which we agree with. Why don't we extend it to all?

**Mr. Conway:** Anything to save Larry Grossman's political neck.

**Mr. S. Smith:** The others are in Liberal ridings. It is very simple.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I think the Leader of the Opposition, of course, as is his custom on occasion, has asked a question that is totally unfair and totally inaccurate.

(Interjections.)

**Hon. Mr. Davis:** It isn't apparently a fair question. This government has made it very clear over the years that it is concerned about health care, educational facilities and every other aspect of government programmes throughout this province, as it is in Metropolitan Toronto. Any suggestion by the Leader of the Opposition that some preferential treatment is being given to Metropolitan Toronto is untrue and is a point of view that I just cannot accept.

**Mr. S. Smith:** Supplementary: Given the obvious confusion that existed in terms of trying to establish a proper number of hospital beds in various areas in this province,

and the fact that this is now to be studied in Toronto, why can a similar study not be mounted which would take into account Brant county, Grey county, Huron county, and the other areas that have been involved so that there can be a sensible description of how it is that hospital beds are arrived at in each area now that the department of the ministry has been disbanded, the ones responsible for that hopeless regression analysis?

**Hon. Mr. Davis:** Those assessments by and large have already been made. I think even the member for Hamilton West, who should have some greater knowledge of this than he is demonstrating, realizes there are some significant differences.

**Mr. S. Smith:** There are more voters in Toronto, aren't there?

**Hon. Mr. Davis:** Nonsense.

**Mr. Speaker:** Order, please.

**Mr. Roy:** I have a supplementary for the Premier, who prides himself on his government's ability and foresight and capability. Will he explain to me again, as I tried to get it yesterday, how is it that the government would embark on a programme of closing hospitals across this province prior to that type of study? What kind of planning is that?

**Hon. Mr. Davis:** I certainly agree with the first part of the hon. member's question. It is a delight to hear him acknowledge that this government has been foresighted, farsighted, responsible and all the rest of it. What was the other part of his question?

**Mr. Peterson:** You are too much.

**Mr. Roy:** Does the Premier want me to repeat it?

**Hon. Mr. Davis:** I am sure the Minister of Health would be delighted to enlighten the member further.

**Mr. Roy:** No, you are confused.

**Mr. Speaker:** Does the Leader of the Opposition have further questions?

**Mr. Roy:** No, he forgot the second part of my question.

**Mr. Speaker:** No, the Leader of the Opposition.

**Mr. Roy:** May I ask the Premier a question?

**Mr. Speaker:** No. You might have an opportunity later perhaps, but the Leader of the Opposition has another question.



**Mr. Roy:** No, he forgot the second part of the question.

**Mr. Speaker:** Order, please. I call upon the Leader of the Opposition for his question.

### WINTARIO AID FOR MEDICAL RESEARCH

**Mr. Lewis:** May I ask the Premier a separate but related question? When did cabinet make the policy decision and what spawned it, to embark on this new Wintario extravaganza with the designated moneys to be used for medical research and health facilities, and what exactly does the government mean by health facilities?

**Hon. Mr. Davis:** These matters are still being finalized by cabinet. The Minister of Culture and Recreation (Mr. Welch), I am sure, would be able to give some broader outline, but the general concept is that the proceeds would be used for certain health purposes possibly and certain environmental purposes. If the member asks me to give a specific example, I think in the area of health perhaps some of it might be allocated for specific areas of medical research, perhaps even in the areas of occupational health.

The fact is that we are going into this other form of lottery. The Olympic Lottery comes to an end and this government has determined that it will move in. I think ultimately perhaps so will the other provinces. The funds could be used from the proceeds for those two areas of interest. It hasn't been defined or finally settled, but I think those are two of the very real areas where the funds could be allocated.

**Mr. Roy:** Supplementary. Does the government intend to seek legislative approval for this change in this new lottery or does the Premier feel that the present Act that was passed some time ago in this House is adequate to permit the government to proceed with this type of lottery? Has he sought the legal opinion of the Attorney General on this?

**Mr. Reid:** Test it in the courts.

**Hon. Mr. Davis:** I will say to the member for Ottawa East that this additional lottery will only be established if we have the legal basis to do so. I can give him that assurance.

Interjections.

**Mr. Lewis:** I think my friend from Ottawa East has fastened on to something rather useful because doesn't the Act as it now stands provide money for recreational and cultural

purposes? Would the government, therefore, not need another law so that the opposition could have asked about the way in which this government is ordering its spending by priorities in trying to bail itself out of certain parts of the health mess this way—which may be one way, but shouldn't we have a chance to comment on it?

**Hon. Mr. Davis:** Mr. Speaker, I think if a decision is made by the government to have the funds from this additional lottery allocated into certain areas of government expenditure, the members opposite certainly should have every opportunity to comment on it. If the Leader of the Opposition is suggesting that some of the existing proceeds from the Wintario lottery are not going in the areas that the Leader of the Opposition would say have priority—

**Mr. Moffatt:** That's a cheap shot.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** Well, it's the only inference one can get from the question. I am glad to have that reaction, because if that is not the inference, what the member is then saying to me is that he agrees totally with where the proceeds from Wintario are presently going.

**Mr. Lewis:** No.

**Hon. Mr. Davis:** That's what he is saying.

**Mr. Speaker:** Any further questions? The Leader of the Opposition.

**Mr. Lewis:** There are several inferences, and I am not sure I understand any of them. I simply wanted to get a sense from the Premier of new legislation. Has the Premier not been burned or embarrassed sufficiently in the events of the last 72 hours that he would bring these things before the House?

**Hon. Mr. Davis:** Mr. Speaker, as I say, there has been no final determination made. I don't feel burned at all by events; because of proceedings here, even by the sun. I don't feel burned at all today. I would say to the Leader of the Opposition that there will be ample opportunity to discuss whatever government policy decision is made. I have tried to be helpful to the member for Ottawa East in just assuring him that if there is need for legislation, we will have legislation. There is no problem.

**Mr. Roy:** How is it, then, that when the Premier says there is no final determination, Marshall Pollock held a press conference and said the first draw will take place on Oct. 31? What's going on?

**Hon. Mr. Davis:** I think the question, if memory serves me correctly, was where the funds were going. As I say, that has not been finally determined.

**Mr. Speaker:** Does the Leader of the Opposition have any further question?

**Mr. Lewis:** I don't think I should ask any more.

#### TRUCKERS' LICENCES

**Mr. S. Smith:** I will ask a question of the Minister of Transportation and Communications. Is the minister aware that today at 10 a.m. there was a hearing chaired by Mr. Aiken and two other members of his ministry to cancel vehicle permits issued to Heaton Truck Rentals Limited because of the fact that Mr. Heaton had a number of convictions for operating without a PCV licence, even though he claims to be a leasing company? Would the minister not agree that this is precisely the subject matter of the committee's investigations, and should people be put out of business while this committee is going about its deliberations?

**Hon. Mr. Snow:** I was not aware of that particular hearing and, of course, it would be dealt with by my staff under the administration of the laws of the province as they stand today. I would presume that under those laws, this action would be taken. But I do not have details on it, and wouldn't wish to comment further.

**Mr. Reid:** Supplementary, if I may. Would the minister not agree, since previous decisions of people in his ministry have been struck down by the courts, and in fact the courts have found that these people were operating legally under existing laws, that his people should not continue to harass these people until the select committee has made its report and the government has changed the legislation?

**Hon. Mr. Snow:** I think there are a lot of assumptions in that question. The hon. member seems to be assuming what the select committee will recommend and what laws may be changed. Because there is a select committee studying the trucking industry in the province. I don't believe that should mean that the ministry should not proceed with prosecutions where they are warranted. I am not sure at all that this particular case that has been mentioned is in any way similar to any previous cases that are being referred to.

**Mr. Reid:** One further supplementary, if I may. Would the minister not agree that he

withdrew Bill 4, which was supposed to clear up this situation, and set up a select committee to look into it? He introduced Bill 4 to clear it up and then withdrew it, and the purpose of Bill 4 was to clarify the situation which is still unclear because he didn't proceed with the bill. Therefore they have no legal stance to continue these kinds of actions against these people.

[2:30]

**Hon. Mr. Snow:** I don't agree at all with that statement, Mr. Speaker. First of all, the bill was not withdrawn; the bill is still on the order paper of this Legislature.

**Mr. Reid:** It hasn't been proceeded with.

**Hon. Mr. Snow:** It has not been proceeded with. There are other bills on the order paper as well.

**Mr. Cassidy:** You fell back by standing still.

**Hon. Mr. Snow:** Mr. Speaker, that does not mean at all that Bill 4 was designed to deal with one particular aspect of illegal trucking.

**Mr. Reid:** You said that yourself—

**Hon. Mr. Snow:** There are other aspects of illegal trucking and this may—

**Mr. Reid:** —that that was the purpose of the bill.

**Mr. Speaker:** Order, please.

**Hon. Mr. Snow:** These charges which are being referred to may very well relate to some other aspect completely unrelated to Bill 4.

#### ETOBICOKE OLYMPIC FACILITIES FUND LTD.

**Mr. S. Smith:** A question to the Attorney General: This follows to some extent my question of June 15 to the Minister of Consumer and Commercial Relations (Mr. Handleman), which he answered privately but not in the House, and relates to the Etobicoke Olympic Facilities Fund Ltd. You may recall, Mr. Speaker, that I inquired of the ministry whether it had some information as to why that fund was able to keep from revealing any information about how it used its funds or how it elected what use these funds were put to.

Can the Attorney General tell us whether he is in a position to report on this fund, in keeping with the fact that a group of citizens from Etobicoke have requested him to look into the matter?



**Hon. Mr. McMurtry:** Mr. Speaker, this matter was first brought to my attention this morning. A letter was received in my office yesterday from the group of citizens to which the leader of the Liberal Party refers. It is my intention to do what we can within our ministry to investigate the matter or at least to report back to the citizens as to the appropriate avenues they might pursue if we are unable to assist.

### LOT LEVIES

**Mr. S. Smith:** A separate question to the Minister of Housing. I feel I should ask him a question during his remaining days in the ministry.

**Hon. Mr. Handleman:** Don't worry about him.

**Hon. Mr. Bernier:** He'll be around longer than you.

**Mr. S. Smith:** If I'm to your right, Darcy, you might be right.

Is the minister concerned about and will he please comment on the device of lot levies being adopted by many municipalities to meet the cost of services, particularly in the city of Mississauga? Has he considered establishing a maximum standard—there is a minimum standard—for hard services so that municipalities can't make increasingly large demands in order to expand their property tax base and increase the price of housing?

**Hon. Mr. Davis:** Are you saying Mississauga's are too high?

**Hon. Mr. Rhodes:** Mr. Speaker, we certainly have been concerned about the lot levies which have been imposed and the increasing size of these levies. One of the problems which I think the hon. member is probably aware of is that the moneys realized from lot levies are not necessarily for hard services. Many municipalities are simply placing that money into their general revenue funds and using it to supply what we might refer to as soft services which they feel are required as a result of the increased populations created by new subdivisions.

We certainly have been attempting to find some solution to the problem which, I suggest, is certainly adding to the increased costs of housing in this province—these continually increasing lot levies. It's a system that's spreading right across the province; it's not only in one or two municipalities. Frankly, we had hoped to place some sort of maximum on the levy which can be charged or to

stipulate where those moneys can be used, say, for hard services rather than for the soft-service type of facility.

### BROWNDALÉ OPERATIONS

**Mr. S. Smith:** A question for the Attorney General, a brief one on Browndale: Is he in a position to tell us the results of the Ontario Provincial Police investigation into the fact that Browndale Ontario has been leasing from a profit-making parent company? I believe the rackets division was looking into this. Could he give us any report on this now that the audit has been available for some time?

**Hon. Mr. McMurtry:** Mr. Speaker, I've had no recent report in relation to this investigation. I'm afraid I have no information that would be helpful to the House at this time.

**Mr. Eakins:** Why doesn't the minister release the document?

### TORONTO REFINERS AND SMELTERS LTD.

**Mr. Grossman:** I have a question of the Minister of the Environment. In view of the fact that Toronto Refiners and Smelters Ltd. won't be meeting the July 21 deadline for installation of new pollution controls, I wonder what steps the ministry is taking to make sure that these works are undertaken and completed shortly? Specifically, I would be interested to know what arrangements are being forced to be sure that the soil in the area is replaced, as recommended by the report?

**Hon. Mr. Kerr:** Mr. Speaker, I think the hon. member is referring to an article in this morning's newspaper which refers to Toronto Refiners and Smelters Ltd. and talks about a July 21 deadline. That has been delayed for about two months because of the city of Toronto's 45-ft height limit bylaw which is having some effect on a stack we're requiring the company to install. We feel the company will do this and the company has assured us that the contract has been let. It has an approval, a permit, although the OMB hasn't approved it yet and we hope there will be no problems there.

Regarding the removal of the soil, I'm meeting with the heads of the companies next week, hopefully, to discuss steps and procedures with respect to removing the soil as recommended by the hearing board report.

I would like to say that there have been some newspaper reports to the effect that the

arrangement will be a shared-cost one between the province, the city and the companies. I have said in this House on a number of occasions—and the reports also recommend this—that the companies would be responsible for removing the soil and for paying the costs of disposing of that soil as recommended by the hearing board report. I did indicate in a press interview that if, in effect, we are not able to force the companies or to require them to remove the soil we may have to get into some type of shared-cost basis. The first priority is that the companies are responsible for cleaning up and removing the contaminated soil.

**Mrs. Campbell:** I have a supplementary, Mr. Speaker. The minister has referred to a meeting that is to take place with the company. Could he also advise us as to the status of the meeting with the local board of health as promised by the Premier to Ald. Johnston as of June 18?

**Hon. Mr. Kerr:** Mr. Speaker, the mayor of Toronto has been invited to this meeting. At that time I hope to be able to discuss the possibility of meeting with representatives of the board of health.

I've also asked the members of the hearing board if there is some possibility that they could attend a meeting which might be arranged with the Toronto Board of Health because it's that report about which there has been some criticism. It's questionable whether or not it would be proper for the members of the hearing board to attend such a meeting. I'm trying to get that straightened out because I think it's important that they be here. After that, I hope to arrange the meeting to which the hon. member is referring.

**Mrs. Campbell:** A supplementary, Mr. Speaker: Could the minister then advise whether the board has at long last had before it the statistical information of the task force which it seemed so urgently inclined not to look at in arriving at its conclusions?

**Hon. Mr. Kerr:** That, Mr. Speaker, would be part of the documentation, shall we say, that will be included in a meeting between the board of health and the representatives of the hearing board.

#### UNITED ASBESTOS PLANT

**Mr. Bain:** Mr. Speaker, I have a question of the Minister of National Resources. Will the minister indicate to the House if any of the readings, whether personal or area air

samples taken at United Asbestos since the mill resumed operation, have exceeded two parts per cubic centimetre?

**Hon. Mr. Bernier:** Mr. Speaker, the particular plant at Matachewan is still in a startup stage. They are at about a 30 to 40 per cent production capacity. I am told that they are exceeding the two fibres per cubic centimetre as of last week and were told to cut back on their production capacity and production levels. We are monitoring it very carefully. I don't have the exact details, but I would be pleased to supply the member with all those facts as soon as they become available to me.

**Mr. Bain:** Supplementary: Will the minister table in the House all the readings which have been taken at the mill since the mill resumed operation?

**Hon. Mr. Bernier:** Yes, Mr. Speaker. I would be pleased to table the information that I have.

**Mr. Laughren:** Will the minister consider as well continual monitoring in the mill in view of the fact that the production levels now, while he may regard them as startups, are higher than they have ever been? Will he agree to establish continual monitoring, both air and personal, in the mill?

**Hon. Mr. Bernier:** Mr. Speaker, that is an arrangement that we have already insisted upon and certainly we will continue to do so in the future, as the mill is in operation and if it comes into full operation.

#### AMUSEMENT PARK SAFETY INSPECTIONS

**Mr. B. Newman:** A question of the Minister of Consumer and Commercial Relations in regard to the second serious accident that took place at the amusement park on Bob-Lo Island: Is the minister considering requiring the display of a certificate of mechanical fitness or of safety inspection on each ride at an amusement park, so that the citizen would be assured that that ride is safe and has been inspected either by the municipality or by the minister's own officials?

**Hon. Mr. Handleman:** Mr. Speaker, we have suggested on a number of occasions to the municipalities that because fairs move from one place to another a provincial inspection would serve no purpose unless we followed them right around the province. We have suggested to the municipalities that they undertake the inspections. We have prepared a model bylaw for their adoption. We hope



that after they review it through the municipal liaison committee they will, in fact, adopt the bylaw. The argument has been put to us, of course, that the municipalities have no expertise in this area. I want to say that neither has my ministry and that they would have to buy it from the same people that we would, who would be engineers.

**Mr. Conway:** Send Frank Drea.

**Hon. Mr. Handleman:** I have no objection whatsoever, Mr. Speaker, to reviewing the bylaw to ascertain whether or not a certificate of inspection is required. I would assume if a ride is inspected and found to be safe, there would be some proof of that given to the owner and operator of the ride. But we do not feel this is a provincial initiative that should be taken, because we simply could not follow every ride, which is usually dismantled one weekend and installed in another location on the following Monday.

**Mr. S. Smith:** You've been taking the province for a ride for quite a while.

**Mr. B. Newman:** Supplementary: Is the minister prepared to have his ministry provide instruction to municipal inspectors so that they could familiarize themselves with the requirements of safety inspection of the various rides? Would the minister also consider the requiring of the operators of these amusement parks to report to the police any accident or injury that may occur as a result of the use of the ride, rather than as at present requiring them to report to the ministry or to the local police only in the case of a fatality?

**Hon. Mr. Handleman:** With regard to the first part of the question, Mr. Speaker, I don't think we could instruct the municipal inspectors because we don't have that expertise ourselves. What we would suggest to them is that they do buy that kind of expertise from engineering companies and charge the ride operators for the inspection, just as we, in the case of elevators, charge the owner of the elevator an inspection fee which covers the service.

As far as the second part of the question is concerned, I don't know what the law would be in reporting of accidents, and perhaps we could take a look at the bylaw to see whether or not there is a requirement. But certainly I would assume that any responsible businessman who has an accident on his premises will protect himself by reporting the circumstances which led to the accident.

## CLAIMS FOR LUNG CANCER

**Hon. B. Stephenson:** Mr. Speaker, shortly before the House recessed in June, the hon. Leader of the Opposition asked me to investigate the claims of certain Elliot Lake workers who had acquired lung cancer in their work in that area. I have done so, and I would like to report to the House that this problem has been one which the Workmen's Compensation Board was aware of for the past year. They've had some correspondence with the union and I know have had recent discussions with the unions about this problem.

[2:45]

The reliability of working level month calculations, I think, was the main problem raised by the union. The board recognized the lack of absolute reliability of the working level month calculations and certainly assured the union at that time, and has reassured the union recently, that each claim would be adjudicated on the individual facts of the case, rather than specifically on working level months, and that the benefit of reasonable doubt would apply in all cases. This is still the basis for all the board's decisions.

The benchmark of 120 working level months is the point beyond which it is generally accepted that the incidence of lung cancer in uranium miners begins to exceed that of the public and is therefore a significant figure. But it is only one of several factors in the guidelines for adjudication which were established in 1976. The individual working level months records have not been taken as mathematical absolutes in any of these instances.

In fact, in the claims already allowed, several have had individual working level months records much below 120 months, and this did certainly not adversely influence the decision on behalf of those workers. It's only where there is no other basis for allowance that working level months are considered as well, in order to raise the basic figure to the realm of probability on the basis of the benefit of doubt. In some cases, however, a casual relationship cannot be established and in that case an adverse decision is reached. Those who are concerned with these specific cases have been advised and are being advised of the decision and of their right to appeal.

The United Steelworkers presently are appealing the rejected claims which the hon. member referred to and they will most certainly be reconsidered in the light of any additional information or submissions which are made. The matter has been discussed

with the unions and they are agreeable to this procedure.

### CAVAN TOWNSHIP BUILDING FREEZE

**Ms. Sandeman:** I have a question of the Minister of Housing. In view of the building freeze imposed by his ministry on Cavan township pending the implementation of proper land-use planning, municipal zoning bylaws and so on; and in view, too, of the minister's own state of concern with the rational growth of urban development and preserving agricultural land in that township, could the minister please explain why, after a request for the development of a new subdivision in that township on productive agricultural land and removed from the centres of population had been turned down by the appropriate people in the ministry earlier this year, a request for draft approval for that subdivision has now been received directly from the minister's own desk?

**Hon. Mr. Rhodes:** I'm at a bit of a loss to understand which subdivision request the hon. member is talking about. I've had a number of requests come in from that particular township, some of which have been endorsed by the hon. member as should be supported. Would she be good enough to tell me which she is referring to?

**Ms. Sandeman:** I refer to the Murray development on the border of Cavan and Manvers townships which it is understood the ministry is pushing as a kind of pilot project for a development in that area. If it all goes well, the development will be increased even more than what is being asked for at the present time?

**Hon. Mr. Rhodes:** I'm familiar with that application, but I would like to check on the details of it. I don't believe that the member's information is correct, that I have requested that draft approval be given to that. I would like to look into that particular subject and report to her. If the House is not sitting, it will certainly be by letter.

### HOME BUYER'S GRANT

**Mr. Reid:** I have a question to the Premier in regard to the Ontario home buyer's grant and my letter to him of July 5. Has the Premier had time to consider my letter and will he consider amending the legislation to give those people in northwestern Ontario a chance to get the home buyer's grant, which

I believe they've been denied because of the length of time it has taken various government agencies to give them approvals for severances so their deeds could be registered before the Dec. 31 deadline?

**Hon. Mr. Davis:** I just happen to have the letter from the hon. member here and I have a two-page memorandum which I have not yet carefully considered but which I will do. Perhaps if we don't stay too late this afternoon, we might have five minutes just to glance at it before the hon. member returns to his constituency.

**Mr. Reid:** I appreciate that the Premier has it because I gave him notice of it, Mr. Speaker. He's not that well organized over there, believe me.

**Hon. Mr. Bernier:** Personal attention.

**Mr. Reid:** Would the Premier not agree with me, or would the Premier agree with me philosophically, that it's somewhat unfair that people in northern Ontario, who don't have the services at their fingertips, where their severances take so long because of government inaction, should suffer because of this government inaction and lose the home buyer's grant?

**Hon. Mr. Davis:** Mr. Speaker, I am just glancing at the memorandum now and it would appear as though there were others involved in the process and that the delay was not totally that of government.

**Mr. Reid:** In some cases it was the government, though.

**Mr. Roy:** Mr. Speaker, if I could ask just a quick supplementary on this. I will just ask the Premier if, on principle, he feels that the point raised by my colleague, the member for Rainy River, has more merit, for instance, than considering giving home buyers' grants to people like Michael Pitfield and Otto Jelinek?

**Mr. Speaker:** I don't see the connection between that and the original question. The member for Lakeshore with a question.

**Mr. Lawlor:** As a matter of fact, neither do I, Mr. Speaker.

### RELOCATION OF COLEMAN FACILITIES

**Mr. Lawlor:** To the Minister of Labour: The Canadian Coleman Co. Ltd. of Etobicoke won the "A" for Achievement award for its contribution to the Ontario economy last year. What interventions or steps has the



ministry taken or has it attempted to take in the proposed move by this company of its international sales and manufacturing operations to Wichita, Kansas?

**Hon. B. Stephenson:** I am sorry, Mr. Speaker, I didn't catch the last part of that question.

**Mr. Lawlor:** The last part had reference to the removal by the Canadian Coleman lamp company. Lamp isn't in the title, but I put it in there so the minister will know what I am speaking about. It is moving its international and sales operations out of Ontario to Wichita, Kansas. I just mentioned that the ministry had given them a particular award for its services to the export industry of Ontario last year.

**Mr. Moffatt:** Claude Bennett put it on a moving van.

**Hon. B. Stephenson:** I thank the member for all the documentation of the company. I have not heard from the workers within that company, which I would gather would be my source of information about this proposed move. To my knowledge I have had no letter from them as yet requesting intervention on our part. I thank the member for raising the issue, because I was not aware that they were proposing to do so. But I shall most certainly speak to the Minister of Industry and Tourism (Mr. Bennett) about this, and we will have a discussion.

Interjections.

**Mr. Lawlor:** The minister is so informed and clued in at this particular time; move.

## RENT REVIEW OFFICERS' MANUAL

**Mr. Shore:** Mr. Speaker, a question of the Minister of Consumer and Commercial Relations: In the spirit of openness and fairness, I wonder if the minister would agree and would he make available the instruction manuals given to rent review officers for their guidance and monitoring, so that all parties—landlords, tenants and others—who may have an interest in this, may have some help in making decisions before they have to actually present their case.

**Hon. Mr. Handleman:** There have been some applications to the courts asking that this be done. I think the words of the Ottawa landlords who asked that this be done, were that the Minister of Consumer and Commercial Relations "cease sending guid-

ance to the rent review officers." I don't know how I can stop doing that.

During the examination of the estimates, Mr. Speaker, I offered all members of this Legislature an opportunity to review the manual. One member of the Legislature accepted that and now has in his possession a copy of the manual. It's our view that the rent review officers are simply not equipped to match the expertise, the sophistication of resources available to the landlords, and therefore they have to be given some internal guidance as to how to flag possible inconsistencies in applications for rent review.

It's our view that if the manual were to be made public it would not be in the public interest, because it would permit the tenant to be in a far less advantageous position than he is now through the rent review officer, who represents the tenant. If, however, it is ordered by the courts that it be made public, or if we can edit the manual in such a way that some of the inside guidance—and that's all it is; these are not rules, but simply guidance for rent review officers—can be published without harming the programme, I have no objection to it. I am discussing that with the executive director at the present time.

**Mr. Shore:** I don't follow the rationale that the minister is making it available to individual members of the Legislature but not making it available to the public.

**Hon. Mr. Handleman:** Mr. Speaker, we offered it to individuals of the Legislature so they themselves could ascertain whether or not its release was in the public interest. The hon. member who asked the question and the supplementary has not taken advantage of that. The member who had obtained a copy of it has not asked it to be made public; if he were to do so, I would certainly take it under advisement.

**Mr. Cassidy:** Supplementary: Since I am the member who did take advantage of that and since I have now read the manual in its entirety and since the earth did not open up when I read it, would the minister not agree that the ridiculous secrecy of the programme is one of the main factors which is harming rent review at this time? Since I am now prepared to make it available—it being so innocuous—to any tenant or landlord who wishes to examine the document in my office, will the minister not agree to make it public and make it available to anybody who wants to examine the document at appropriate times in rent review offices across Ontario?

**Hon. Mr. Handleman:** Mr. Speaker, this was the condition on which we asked members to look at it. If the hon. member wants to take the responsibility of destroying the programme—I think that's exactly what will happen but I don't think he quite understands it. The member for London North would—no question at all—because of his expert knowledge in the field of accounting.

I don't think the member for Ottawa Centre understands the significance of what he has read but if he wants to make it available to landlords—I don't mind any tenants seeing it, quite frankly, because I don't think they can use it to their advantage—but I think any landlord can use it to his advantage. That is exactly why we feel that the rent review officers, who are not all chartered accountants, who are not all lawyers, should have some equalizing information which would enable them to note discrepancies in applications for rent review.

If I may give an example to the hon. member—I don't know whether he even read this one—on refinancing, we have flagged a percentage of refinancing which a rent review officer should know about in the event the landlord has gone about that percentage. It will not help the tenant in any way to know it but it will help the rent review officer. I'm sure that if that is made public every landlord in this province, quite rightly, would say, "That's the percentage I'm going to use," Many of them are under that now.

**Mr. Shore:** What is wrong with that?

**Hon. Mr. Handleman:** Because they are under that now.

**Mr. Speaker:** Order, please. The question period has expired.

**Mr. Cassidy:** This is a matter of urgent public importance, Mr. Speaker.

**Mr. Speaker:** The oral question period has expired.

Petitions.

**Mr. Cassidy:** Will the minister allow the tenants to photocopy the material if he thinks the landlords are getting an advantage?

**Mr. Speaker:** Presenting reports.

**Mr. Cassidy:** The minister is irrelevant.

**Mr. Speaker:** Order, please.

Motions.

**Hon. Mr. Welch** moved that when the House adjourns today, it do again stand adjourned to a date to be named by the Hon-

ourable the Lieutenant Governor by her proclamation.

Motion agreed to.

## SELECT COMMITTEE ON THE OMBUDSMAN

**Hon. Mr. Davis** moved that a select committee of this House be appointed to review from time to time the reports of the Ombudsman as they become available; to report thereon to the Legislature; and to make such recommendations as the committee deems appropriate; reports and recommendations of the committee to be placed on the order paper for discussion after presentation; and that the select committee have authority to sit during recesses and the interval between sessions and have power to employ such staff as it deems necessary and to call for persons, papers and things and to examine witnesses under oath; and the assembly doth command and compel the attendance before the said select committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations for which the hon. the Speaker may issue his warrant or warrants. The said committee to consist of eight members as follows: Mr. Renwick, chairman; Ms. Sandeman, Messrs. Davison (Hamilton Centre), Grossman, Hodgson, Norton, O'Neil and Ruston.

[3:00]

**Mr. Lewis:** Mr. Speaker, there may be a few words people would like to express and I would appreciate being allowed a moment. I seconded this motion after consultation with the House leader and, obviously, the chairman of the proposed select committee and some others. I seconded it in the spirit of goodwill but I do have a serious reservation which I would like to express on this occasion, and which I did express previously to the Premier and to the House leader of the government party.

This select committee process obviously comes about as a result of the impasse reached over the Pickering report, and partly also as a result of the anomaly which has appeared in the legislation, drafted in good faith but apparently with a loophole. In a sense the loophole, the deficiency—and I suppose there will be many deficiencies emerge—that has emerged in this case is that the Ombudsman can have a difference of opinion with a minister of the Crown, and that is clearly true; a subsequent difference of opinion with the Premier of Ontario, and



that is progressing, hopefully to a resolution; and would then present the report to the Legislature which could be debated but then be entirely unresolved.

The Ombudsman makes his report, it is tabled and there is no avenue for subsequent resolution. I think what in a demonstrably useful way the government was trying to do and the Premier was trying to do, is to provide in this motion a route by which a resolution could be achieved on an ongoing basis if there is an impasse around the Ombudsman's reports.

I think it has in it a very good concept and it is probably worth trying. The idea of the select committee was initially proposed some months ago so it is not new in any sense. I further have to concede that if the Ombudsman himself feels comfortable with this, although it is a legislative decision not his, but if he personally feels comfortable with this then that, too, is a considerable plus. We are feeling our way, almost desperately, almost anxiously, as to how the whole Ombudsman process will work and to the definition of his rights and his recommendations.

The one serious reserve I and some of us have, and are willing in a sense to forfeit now in the hope that this will work, is that even this process doesn't necessarily bring a resolution of an Ombudsman's report. There are select committee recommendations by the tens of thousands bringing dust to their pages in the confines of Queen's Park; and because a select committee meets on an Ombudsman's report, makes a series of recommendations, brings it to the Legislature, has it debated, that does not mean the government is obligated to pass the recommendations of the select committee or to bring them into law. Therefore, there is still, here, no obvious way for the House, as it were, to vote on the findings of its select committee.

On the other hand, I concede that there are some difficulties inherent in that, in minority government; there are some difficulties inherent in that around the expenditure of dollars—I don't want to seem inflexible about that, I understand that. So I suppose that the mere reality of minority government, the central focus of this particular dispute, and the fact that we have been guaranteed that this report will come to the Legislature very quickly after it convenes; all of that probably means in the political circumstances of Ontario that it will be resolved one way or another, even if one of the opposition parties is forced,

or we are forced to combine to confront the government after the debate if it chooses not to move on the recommendations of the committee. Those options are open to us.

I like to support it, I am pleased to second it and express a certain tentativeness about it, but understand that the whole experiment is new; that the solution is being offered in good faith and that if it works in this instance we may indeed have found a tremendously useful route.

I don't know whether the Minister of Housing, in the extraordinary repudiation that the select committee implies, gets to speak or to resign or to engage in public antics. But I assume he approves of this route as well and I assume he will go before the select committee and argue for an inquiry or whatever it was that he had argued for that was not part of the resolution. In any event, I hope it passes but I sense that we may not have resolved it, even though we think we are on the way.

**Mr. Singer:** When this resolution was mooted about earlier this morning, I promised my colleagues that I wouldn't say I told you so more than 15 times this afternoon. So I will start it off and say to the Premier I told you so a long time ago. In December we suggested this. It was a unanimous report of a special select committee of which I was the chairman, and even the member for Riverdale (Mr. Renwick), with some reluctance, signed that report.

The method of setting up a select committee to deal with problems raised by the appointment of the Ombudsman was mooted some time ago. However, I have certain substantial reservations as to the form in which the resolution is placed. I would ask you to recall with me, Mr. Speaker, a substantial recommendation of the select committee which is reported in Votes and Proceedings of Dec. 11 last. I think it's sufficiently important that it be read into the record yet once again. The committee recommends:

The committee believes that a permanent committee of the Legislature should be established immediately so that it may review from time to time the following matters:

(a) Reports from the Ombudsman as they become available from time to time.

That's the first category. The second category was the estimates, his budget, call it what you may; and the third category was the actions or lack of action taken by those persons referred to in the Ombudsman's report.



I think it's important immediately to establish the distinction between the general kind of report, the Ombudsman's annual report, his summary of a complaint that he has reviewed that has now been remedied, and the particular one wherein he chooses to differ with those branches of government that he has had to report to by section 22(4) of the statute. That's really the one that has brought this matter to a head now. Insofar as his annual report goes, I think it is of great significance that the committee review annual reports of the Ombudsman, examine them as they see fit, comment on them to the House as they see fit and so on.

I draw your particular attention to section 22(4), Mr. Speaker, and also to the Premier's preliminary remarks when he made his statement before the orders of the day. I suggest, sir, that these are of substantial significance.

Here we have a situation in which the Ombudsman has made a report, as section 22(4) requires, to the Minister of Housing. He and the minister did not see eye to eye and he then took it to the Premier, again as section 22(4) requires. The Ombudsman, for whatever reason, chose then to take the third step. The Premier has said his discussions with the Ombudsman are continuing. However, I am very concerned as to whether or not once the report has been given to you, Mr. Speaker, whether those discussions have any right to continue any further.

There are three steps. The Legislature says there are three steps: First, to the minister; second, to the Premier; and then to the House. It is in your hands. Those first two steps are over. I am disturbed by the Premier's suggestion that when and if he is unable to resolve the present problem with the Ombudsman, then and only then should the committee address itself to it. I don't think this is the kind of a threat that some of us had in mind when we voted for or talked about this Act. We felt that if matters got to the point whereby the Ombudsman was not happy with the minister's opinion, was not happy with the Premier's opinion, he then had the third avenue of appeal to the Legislature and to its members. What we're now determining, and which we didn't express in the Act, is how the Legislature is going to react to these things.

The fact that you were given that report, sir, and you read to us the letter of transmittal, I suggest this now places this particular dispute in the hands, not of the Premier any longer, but in the hands of the Legislature. The fact that we are establishing a select committee to deal with it is most

appropriate, because I don't think 125 members can or should sit and hear all of the evidence in relation to this.

How many members have we got? Eight members on the committee can appropriately deal with this and in due course make their report to the Legislature. I think that's the route it should take. Therefore, I would think that some amendment to the wording of the motion be put there to the effect that whatever this committee does has to be in accordance with the provisions of the statute, and particularly section 22(4).

I don't think it can go both ways—let me try to come back to that again and try and make it as clear as I can. I don't think it can go both ways. If the Ombudsman is unsatisfied, as apparently he is because he's taken the three steps, and he's reported to you, then I suggest the first two are completely gone, and that the Legislature is now seized of it and through its arm, this select committee, it should examine further and report back to the House.

Then I think this, sir—and I don't know whether you can do this in resolution or whether or not the statute shouldn't be amended. I think that once this has been done and the report comes back to the Legislature it demands some sort of action. There should be written into this resolution and perhaps at a later stage into the statute, that the Legislature, once it has received, in this kind of case, the report of its select committee—it's not the government's select committee, it's the Legislature's select committee and we have to be meticulous about this at this point—the Legislature then has a right and a duty and a responsibility to vote on it.

I don't know whether we should write this in or not, but I think perhaps it can and should be understood that whatever voting we're going to do should not be a matter of confidence. There should be an ability to have a free vote of the members of this House in regard to such a matter.

**Mr. S. Smith:** That's right.

**Mr. Singer:** It's a distinct and separate matter. The process has been established, and that's why I say the Premier should be out of it at this point; it should be turned over on the motion of the House to the select committee which will come back to the House. They report, and then the House has the right, the duty and the responsibility to deal with it, not as a matter of confidence but to deal, in relation to the report of the Ombudsman, with its recommendation; and as I say it be recognized and/or accepted, and if



necessary written, that such a vote would be not a matter of confidence, not a matter of anything else other than a determination of the House and a matter that would be governed by the rules of the free vote.

Having said those things, Mr. Speaker, I think these are very important. I hesitate to raise this again but I don't think we can let it go without mention. There's the question of the estimates. I think, notwithstanding the fact that the motion was passed by a majority of this House earlier, sending the estimates of the Ombudsman to the Board of Internal Economy was an illegal and an improper move.

The government should by now have accepted the fact—after all, it was nine to zip, to coin a phrase—that if they act illegally somebody is going to strike them down. I would think that if it went that far it would be nine to zip again, that the examination of the estimates of the Ombudsman by the Board of Internal Economy as the legislation presently exists is improper, illegal and beyond our statutory power.

So, while we are establishing a select committee would it not be sensible—

**Mr. Lewis:** No. No.

**Mr. Singer:** —that the House adopt the full recommendation of the select committee which reported to this House on Dec. 11?

**Mr. Lewis:** It must be separate.

**Mr. Singer:** Mr. Speaker, it's important that we get on with this problem and that we not have a lengthy debate with amendments and subamendments. I've sounded what I think are important warning notes. I don't propose at this time to move any amendments, but I put these suggestions forward as matters which I believe are urgent and important and that should be considered; and perhaps some of them can be adopted quickly and the amendment put forward in that way.

[3:15]

**Mr. Deans:** Mr. Speaker, I have two or three thoughts on the matter that I would like to express at this time. I did mention to the Premier and the House leader of the government party my own reservations about how one comes to a conclusion about matters referred to a select committee. I felt, as was expressed by my leader, the need to have some way of expressing the opinion, not just simply giving the opportunity for debate but expressing the opinion of the Legislature on matters referred to it. I am, however, pre-

pared at this point to accept, somewhat reluctantly, but accept the motion that's before us in order—

**Hon. Mr. Davis:** You always do things with enthusiasm.

**Mr. Deans:** No; I sometimes do think with enthusiasm, strangely enough. In fact, I was enthusiastic when I argued with you that there should be the opportunity for a vote, let me tell you, but now I'm reluctant to say that I accept there won't be right now. All right?

I do want to make some comments about one of the matters raised by the member for Wilson Heights. It is also a matter that I raised with the Premier and the government House leader during some discussions we had before the motion was placed before the House?

I believe that within the interpretation of the motion before us the select committee is now seized of or already has had referred to it—or will have had immediately after this committee is set up—this report of the Ombudsman. I don't deny that for a moment and I hope everyone understands that, but by virtue of tabling the report, and by virtue, then, of the passage of this motion, that report will automatically go to the select committee.

The question before us isn't whether that is correct or otherwise, but whether the select committee is of a mind to give the Premier and the Ombudsman some additional time in order to try to find the resolution to matters still in dispute. I have it on good authority from my colleague, who is to be the chairman of the committee, that he thinks the committee probably would be prepared to do that; but he, of course, would not be expressing that opinion until such time as the committee makes its own deliberation.

Nevertheless, if we were to adopt the position that the committee had to be meeting immediately, then of course we wouldn't be recognizing what is actually happening here today. This is the last day of a short session. There's no other alternative but to present the report today or wait until the fall. The fall would be too far removed from now. It would be silly to suggest that the Premier and the Ombudsman should not continue their discussions in an effort to find solutions immediately. It would be equally silly to suggest that the report ought not to be before the House until the fall, because between now and then a great deal of work could be done. So what we're faced with is, again, at the end of the session unfortunately, or fortunately depending on how you look at it, a

need to have the committee structured for the purpose of dealing with the report; the need for the report to be on the table before the committee can, in fact, take advantage of the opportunity to review it, while at the same time recognizing that the Premier and the Ombudsman may well be able to resolve their particular differences at or during the course of the next two or three days, or even weeks.

I would like to ask the Premier, therefore, if he would be kind enough to express to the House, or tell us, how long he anticipates these discussions with the Ombudsman might go on, so that the committee might give some consideration as to when it could commence its work? Secondly, the Ombudsman in his letter, as my colleague mentioned to me, said early August, and I hope the Premier sees that as the timetable. Thirdly, I don't think anyone should be of the opinion that simply because the Premier and the Ombudsman come to some kind of an agreement that automatically ends the possibility of deliberations by the committee with regard to that report, since in fact they could, if they so desired, proceed with the report in any event, given that they already have it before them.

**Mr. Singer:** What about section 22(4)?

**Mr. Deans:** I want that to be true. As for the legal interpretation placed on section 22(4) I listened carefully to what the member for Wilson Heights said and whether the Ombudsman can speak to the Premier about a matter after the report has been tabled I don't believe is specifically dealt with.

It says that if the Ombudsman is dissatisfied he may then table his report for deliberation. It doesn't say that he need at that point cease all discussion with the Premier. Therefore, I would like to think that two reasonable people looking for the solution to a very difficult problem would be prepared to continue to debate and discuss the matter, even though the select committee may be technically seized of the report, in order that some kind of reasonable and sensible solution can be found without undue delay.

**Mr. S. Smith:** I want to speak briefly, Mr. Speaker. Basically, I want to support what the member for Wentworth has said. I certainly would hope that the Premier and the Ombudsman would continue their discussion and naturally we all hope that the resolution of this problem will be forthcoming.

However, I think it's important we avoid a dangerous precedent which was implied in the Premier's statement before the orders of the day. I understood from the Premier's

remarks that the select committee would meet only if the Premier and the Ombudsman had failed to resolve their differences. I think, however, that once this committee is set up and once the Legislature has had the report put into its hands, for whatever reason, be it the summer recess or anything else, the committee has an obligation to meet and to look at the report, and for that matter to look at the resolution which may even be accepted by both the Ombudsman and the Premier.

The committee should have the opportunity to look at that solution and to see whether it agrees with the solution because the Legislature has now, willy-nilly, become involved. For whatever reason, we are involved and I feel, therefore, the committee must meet. It is not an if-and-or-but situation as suggested by the Premier. The committee must meet anyhow and report to the Legislature its finding with regard to any hopes for a solution which may be forthcoming from the continuing discussion between the Premier and the Ombudsman.

As my second point, I would like to say that I believe the House, in general in these matters, should have some recourse other than merely discussing it and having the time run out on a discussion. I am not suggesting that the House should be able to force the government to apply the remedy suggested by the Ombudsman—or any other remedy for that matter—because that would be usurping the prerogatives of the government and, clearly, would have to be a confidence matter.

I do think, however, that the House ought to be able to express the sense of the House regarding a matter of this kind and the Ombudsman will function best in an atmosphere which is not partisan and not politicized, in which each of us comes as a representative of his constituents rather than as a party person. Therefore, I think it is terribly important for future generations and for future operations of the Ombudsman that we agree to have some form of expression of the sentiments of the House but not in a matter of confidence way—it should never be taken as a confidence matter.

This is an opportunity to incorporate that particular principle. I think members must be permitted to have a free vote on this matter so that they can operate strictly on behalf of the ordinary citizens without regard to partisan matters. I think these are very important matters which I would certainly like to see accepted by the other parties in this House. Frankly, I think it would be good to put it in either resolution form or statutory form.



Basically I am here not in an argumentative way but rather to make a contribution to what I think would be the better functioning of the Ombudsman's office. I think probably one of the best things this government has done has been to create the Ombudsman. I accept the Premier's point that he wants it to function well. I would like to help him in this regard.

I feel, to summarize my two points, the matter having come to the Legislature I don't think we can accept the Premier's suggestion that the select committee meet only if he and the Ombudsman fail to resolve their differences. I think the committee must meet no matter what and it must present something to the House.

My second point is I think the House should have the opportunity, all of us as individuals in a free vote and not as a confidence matter, to express a sense of the House. Then, of course, if the government fails to introduce the remedy which the House suggested is its sense and its preference, it would be open to anyone to move a non-confidence motion at that time. But that would be a separate issue which would then be a choice which people could make at that point.

I think, even in a majority government situation, that would protect the function of the Ombudsman. Those are my suggestions, Mr. Speaker.

**Mr. MacDonald:** With all of the reservations that were expressed by the Leader of the Opposition, I would support this as an interesting experiment to work out our own approach to an effective Ombudsman's process in the Province of Ontario.

If I may just speak to a point that has emerged, and the leader of the Liberal Party just pointed to it, namely that this committee should meet irrespective of what happens in the continuing negotiations between the Premier and the Ombudsman, whether they happen to resolve the differences or whether they don't, one of the reasons I think they should meet is an aspect of this whole situation which has developed which absolutely puzzles me. It puzzles me beyond belief.

I thought the universally accepted concept of an Ombudsman was an official appointed to espouse the cause of an aggrieved citizen who would have the power to go into a ministry and get any information that might be available anywhere with regard to the source of the grievance. Therefore I just can't understand the kind of situation that has developed and the confrontation between the Minister of Housing and the Ombudsman.

I find it inconceivable that the Ombudsman's office would be engaged in a six- to an eight-month investigation, at the end of which one of the ministers of the government would say: "I have a lot of information which disputes your conclusions." If he has a lot of information, he should have submitted that information. Surely that is implicit in the whole traditional operation of the Ombudsman. Therefore, without necessarily going into any full investigation, it seems to me one of the purposes of this select committee with reference to the specific report in the instance of the Pickering situation, is that it has to resolve this difference between the Ombudsman's report and these unstated conclusions—I guess the conclusions have been stated, but the evidence upon which the conclusions have been stated by the Minister of Housing.

I hope in the process we all learn a little bit of a lesson, namely as to what have been the traditional acceptance and operation of the Ombudsman concept, that if any ministry is being investigated and has got information, it doesn't have to be asked to provide the information, it automatically does provide that information. Otherwise, what is the purpose? It's almost, if I may put it in somewhat provocative terms whether he intended it or not, as if the Minister of Housing's approach to this whole process appears to be a calculated effort to undermine the operation of the Ombudsman's office.

**Hon. Mr. Davis:** Nonsense.

**Mr. MacDonald:** Just a minute now. The Ombudsman has the right to get any information that is available. If the minister is sitting on information and doesn't provide it, then I come to the conclusion that it at least appears to have been a calculated undermining of the operation of the Ombudsman's office.

I'd be very curious to find out from the Attorney General as to whether he disputes my basic thesis that if the Ombudsman is looking into a situation that is centred in a given ministry, there is an obligation on that ministry to see that the Ombudsman gets all of the information that it has, and doesn't hide some of it, so that when the report comes out, the minister cannot then say the report is unbalanced, it's incomplete, and its conclusions are wrong.

**Ms. Gigantes:** Shame on you!

**Mr. MacDonald:** If there is any other concept of an Ombudsman's office, I invite the AG to enter the debate and to expound it.

**Mr. Roy:** I don't want to be repetitious, but I did want to make certain comments on the record, because I've been concerned about the whole aspect of the Ombudsman, the operation and how there seems to be a void, legally; first of all when we are dealing with the aspects of estimates; and now in the interpretation of section 22(4).

I do want to say that I see the debate is not proceeding in a partisan fashion. I think all members are striving to make some positive and objective comments to enhance the operation of the Ombudsman.

I would like to suggest very sincerely to the Premier that he accept the comments of my leader. I would like to hear some undertaking of this. First of all, if the Ombudsman is a servant of the Legislature, surely then as legislative members we should not be constrained by party lines; it should be a type of a free vote in this House.

I think all of us should be put into a position where we can make our own objective decision as to how we should support him, or not support certain recommendations that are made.

Secondly, surely as the Premier said, if this is not to be a partisan sort of approach, that it should not be a matter of confidence; it certainly should not be a matter of confidence.

If it is a free vote in the House, if the Ombudsman is our servant, surely once we make a suggestion here and we vote freely on it, it should not be a matter of confidence. I would like to hear the Premier's comments as to those two aspects.

There is another part that I was bothered about, Mr. Speaker, and I would just comment briefly on it. I think the member for York Centre touched on it. It's not a very good precedent that we have here in the sense that—York South, I am sorry—

**Mr. MacDonald:** York South. York Centre is one of your colleagues, in case you didn't know it.

**Mr. Roy:** The member for York South, that's right.

The member for York South, Mr. Speaker, mentioned that certainly it's not a good precedent to be setting in this House that the first major report made by the Ombudsman on a problem in this province gets a bit of stonewalling, I suggest, from the Minister of Housing.

Looking at the Minister of Housing across the floor, I appreciate his concern about accepting sort of holus-bolus some of the

recommendations and some of the long-term implications of the report. But it seems to me, Mr. Speaker, that if there were evidence that could rebut what the Ombudsman stated, it was the minister's duty to make it available. It was not the minister's duty at that point to be presumptuous enough to say that the Ombudsman would probably have disregarded it. I think the minister should have made it available. And if it was disregarded, then he would have been in a position to dispute the Ombudsman's conclusions. But surely he should have co-operated to that point.

I think many constructive suggestions have been made, Mr. Speaker. There is the fact that the Ombudsman feels, because the House will not be sitting for any length of time, that he should present his report now, and that his discussions continue with the Premier. I would suggest, Mr. Speaker, that either through an amendment to the Act or otherwise, that certainly the report of the Ombudsman should not be constrained or stopped from being presented to the Speaker of the House because the House is not sitting.

We should propose an amendment of some sort at a later date to make it very clear that when the Ombudsman has a report, that it proceed through the channel of section 22(4). If he is prepared to present it to the House, he should not have to wait for two or three months if the House is not sitting. There should be a mechanism, Mr. Speaker, whereby the report is presented to you, and then from you to the select committee. I think that's important.

I think that in many cases the recommendations of a report will require some haste. Time may well be of the essence for some of the solutions that he is proposing; the action required in his recommendations should not always require that the House be sitting. I think there should be that provision that it go to you, Mr. Speaker, then to the select committee.

**Hon. Mr. Rhodes:** I very briefly wish to touch on the several points that have been raised, in particular one raised by the member for York South. The hon. member has indicated in his comments that I was not prepared to accept the recommendations of the Ombudsman. Certainly, it is not my intention at any time—at that particular time, now, nor in the future—to undermine the office of the Ombudsman, nor the work that the Ombudsman does. I think this is evident.



It can certainly be shown that over the past number of months that the Ombudsman's office has been in operation, there have been a number of occasions where he has had to inquire into matters involving my ministry. I think he would fully agree, as would members of his staff, that he has had the utmost of co-operation at any time. We have been able to resolve a great many of the matters that have been brought before us, either through discussions with the staff or by accepting the recommendations that were sent to us from his office, and I want to state very emphatically that at no time have I ever had a desire to undermine the Ombudsman's office or the work being performed by that office. I totally and completely support it.

**Mr. Lawlor:** But you withhold information.

**Mr. Speaker:** Order.

**Hon. Mr. Rhodes:** Mr. Speaker, that's exactly the point that I wanted to touch upon. Without going into detail here, I would like to state that it is not a question of withholding information. Understand that a very extensive investigation was carried out by the Ombudsman's office. How that investigation was carried out is a matter that I think will be discussed by the select committee or whatever other forum is used to determine the eventual recommendation.

I don't want to take the time of the House in this area. Suffice it to say that during some of the time that investigation was going on, the staff of the particular project and of the Ministry of Housing were not totally aware of exactly what type of investigation was being carried on. I think the Ombudsman and his staff will fully agree that at any time they went to the offices of the project or to any member of my staff in the Ministry of Housing they received the utmost of co-operation and were presented with all of the information that they requested. They were allowed to go through all the files, as is certainly permitted, and they were not in any way prevented from receiving information.

**Mr. MacDonald:** But did you volunteer all the information you had?

**Hon. Mr. Rhodes:** They were given all information that was there. Remember that we were not totally aware, and quite properly so perhaps, at the beginning of that investigation as to what total information was being gathered by the Ombudsman. Remember, too, that over 500 pages of evidence was gathered by the Ombudsman, and eventually

condensed to the 129 pages that was presented in the report that has been presented to this Legislature.

We have not had an opportunity at this stage to go through all 500 pages of that evidence. It has been offered to us recently by the Ombudsman's office if we wish to peruse it, and perhaps we will have to do that. I suggest to you that there was no intention to withhold information.

**Mr. Roy:** You were just following the law.

**Hon. Mr. Rhodes:** It was after the final report was made to us that we were able to determine what information the Ombudsman had gathered and had put into his report. Again, understand that it was a condensed version of the total investigation; those matters which he felt he could incorporate into his report to substantiate the position of the recommendations that he's taken. It was then that we were able to determine what matters were being brought to our attention as matters that he took exception to or felt had not been dealt with properly. It was then that we started to look for responses to those particular charges and it was during that time, with respect, that the report eventually was brought to me in its final form and we were obliged to proceed along the trail that we find ourselves at now.

The only area, and I emphasize this again, where the Office of the Ombudsman and the office of the Minister of Housing—not individuals or personalities—have any disagreement is in the proposed recommendations to resolve the problem as he perceives it. It is not a matter of questioning the integrity of his office or the integrity of the people who work in that office. It is a matter on which he and I have, I think, a disagreement, and a quite proper disagreement, on how the problem should be resolved. I suggest to you that the matter of a select committee is a good vehicle in which to present that evidence before this committee and allow them to determine for themselves whether that recommendation is good. That's exactly what I said in the recommendation.

**Mr. Roy:** That is not what you said in the press conference. You went further in the press conference.

**Hon. Mr. Rhodes:** That's exactly what I said in the recommendations.

**Mr. Speaker:** Order.

**Mr. Singer:** You said the evidence was suspect because it wasn't under oath.

**Mr. Speaker:** Would the hon. member for Lakeshore wish to make a comment on this motion before the House?

**Mr. Lawlor:** Just a comment, Mr. Speaker, first of all, about the retention in the Premier's hands for the time being, I trust, of this particular matter. I see nothing in the legislation that proscribes that. I think that is perfectly all right. I would say, if I may presume to give a word of advice to the Premier of this province, don't retain it too long. Not because I would think that there would be any element of a delaying tactic involved, God forbid—I mean, the thought wouldn't enter my mind—but for this reason, and having read the report with some assiduity, I think the positions are very moot, and could go either way depending on the issue.

There are some cases which, on the face of the report, seem to be very deserving indeed but other cases perhaps are not quite so deserving. This has to be worked out and filtered out and the select committee vehicle is the best way to do it.

One final word: I and the committee that met previously did submit to this Legislature the business of a free vote. It is obvious that you can't have it divided on partisan lines on issues of this kind.

**Mr. Peterson:** Mr. Speaker, I want to speak very briefly on this and on what I think is a fundamental problem here. We are now into the second or third day of discussing, after the adoption of this Act last fall—as I recall—ways to patch up the problems which have arisen now subsequent to the passing of the bill.

As members recall, before the session adjourned we discussed how we would handle the estimates and many of the arguments and things we were concerned about I think are real today. I think we didn't have the foresight then and I don't blame anybody for this. I think all parties agreed to this and I would have to submit respectfully that certain contingencies have arisen subsequent to the passing of the bill which weren't contemplated. We have all been patching it up and we have all been attempting to adapt it as the circumstances have arisen I would say very respectfully that I think we have a little more judgement now; we have some hindsight and we have some experience with this bill and it seems to me it is going to require a redrafting of the bill.

Already in the discussions today—I am sure we are going to support the bill; that is not the problem—there are certain differences of

opinion on how a disagreement of this type should be handled. Certain people feel that the Premier as well as the select committee should be dealing with it and there are various other options and points of view.

If harmony works and people can get along by just talking about it, then we don't need to go to the law, but the law as it is written is there for when we run into a head-on confrontation such as we have in this particular case. I say with great respect that I understand and I respect the right of the Minister of Housing to disagree with the Ombudsman. I think that is perfectly legitimate and I would never for a moment suggest that it is done in bad faith or for any other reason as my friend from York South is suggesting. I don't think that is the case. I think it is legitimate when two strong men disagree on certain facts.

The point is, as I see it, we still have not got the method to resolve this question. I don't see really, and I say it with respect to the Premier, that he has got it in his proposal and his suggestion for a special committee today. I really believe very strongly and I would like to recommend that he rethink some of the holes in this legislation; one in particular is the estimates.

Now that he is going to start this committee—this is something our party suggested in the last debate on how the estimates should be handled—why not clean up the whole operation at once and let us redraft the bill? Let's redo it, let's do a good job on it and avoid this kind of problem because I respectfully submit that every time the Legislature has this kind of debate we are undermining the authority of the Ombudsman. We are causing him harm and we all have a commitment to his principles and to the principles of his existence. I think we are not serving his cause or the role he should be playing in this province.

Because of the bad drafting, when the Premier involves the government in a partisan way, when he gets in a fight with the Ombudsman either the Premier is going to suffer or the Ombudsman is going to suffer. There is no reason for it; there is no reason whatsoever because he is a servant of this Legislature and the people of the province.

I would suggest that this is a fine short-run solution, but in the long run—probably in the short run more than the long run—we should redraft this Act, taking into account all the possible contingencies. I think the Premier would find unanimous approval for that kind of thing and we would avoid this. We would



avoid embarrassing the Premier, embarrassing the minister, embarrassing to Ombudsman and, more important, embarrassing the principles for which he stands in this province.

I think it is a sloppy piece of work and I am sorry about that, but maybe it is understandable, none of us having any experience with this. For God's sake, let's recognize it; let's clean it up and let's not have to be involved in this kind of a debate any more.

**Mr. Grossman:** Mr. Speaker, I wanted to comment. I speak both as a member of the committee struck last fall to set up the rules and regulations for the Ombudsman and as a recommended member of the select committee we are now discussing.

[3:45]

The member for Wilson Heights was suggesting to the Premier that he told him so. He said, "I told you so." I think some of the members of the committee now must say to the member for Wilson Heights, "I told you so," because at that time last fall we suggested that that was the appropriate time to set out the rules and regulations governing the operation of the office.

Quite frankly and openly, the Ombudsman himself suggested it was premature at that time. The office had not been in operation. Everyone was new to the operation and the office and no one quite had the experience yet to know how exactly the procedure to report to the Legislature, including free votes, should be handled.

I might say it was no secret that the chairman of that committee, the member for Wilson Heights, in his usual heavy-handed fashion as chairman of a committee, made it quite clear that he quite agreed with that suggestion of the Ombudsman. Consequently the members of the committee—

**Mr. Singer:** I took your hand and forced you to sign the report.

**Mr. Grossman:** —out of respect for the Ombudsman went along with that suggestion. We had reservations.

**Mr. S. Smith:** That's a nice tie.

**Mr. Grossman:** Thank you.

**Mr. Drea:** How much did you pay for it?

**Mr. Grossman:** Why did we go along and why did we object? We went along out of respect for the office. But why did we object? I think the member for Rainy River agreed with us at that time. I suggested that if we

waited until there was a confrontation, then one of two suggestions would be made a year from that time when it did come time to set down the rules and regulations which would now govern what was going to happen. Either the members of the committee or the Legislature would be accused of trying to fetter the Office of the Ombudsman by setting out too stringent rules or regulations or we would be accused of giving him the key to the Legislature by giving him wide-open rein on what was going to happen.

What has happened? There are no rules and regulations to govern what has happened. The member for York South and even the leader of the Liberal Party suggested last week in the press that, going through these uncharted waters, any suggestion contrary to the suggestion of the Ombudsman is an attempt to get rid of the Ombudsman and destroy the office. This is exactly what we said would happen unless we set out rules and regulations when we were given the job of doing that last fall.

Now the suggestion is made—and I have to laugh at the suggestion—that there be a free vote. That may be a good idea. I haven't resolved that issue in my own mind as yet because, like all others, I am just getting familiar with the operation of the office and what should happen.

**Mr. S. Smith:** What do you have to laugh at about it?

**Mr. Grossman:** I will tell you why I have to laugh at it because the suggestion comes from the Liberals and the last free vote they were involved in wasn't really a free vote. That was the capital punishment issue in Ottawa. It was in name a free vote only. The Liberal cabinet in Ottawa which formerly had a lot of retentionists in that cabinet suddenly had only abolitionists.

**Mr. Deans:** But they all agreed.

**Mr. Grossman:** So I wonder what kind of free vote we are talking about.

**Mr. Deans:** Did it ever occur to you that they all shared the same view?

**Mr. Grossman:** Maybe they all felt the same way suddenly. You can never tell. It could happen. We heard about the member for Windsor-Sandwich on the teachers bill. We heard about his free vote on that. I understand.

**Mr. S. Smith:** All votes are free votes over here.

**Mr. Grossman:** I want to wind this up by saying that the whole point of the resolution of the committee last fall was that the Ombudsman himself wasn't sure. He wanted to learn about the best procedure to follow in getting to this Legislature. We went along with that. Now the Ombudsman together with the Premier of the province has suggested a pattern to be followed in this, the first major confrontation. I suggest that it all lies in the mouths of those who were part of that committee and agreed with that sort of pattern now to be standing up and suggesting that all sorts of different procedures be followed and a second look be taken, not by that Ombudsman committee that was struck last fall but now by a second committee that was struck for a different purpose.

Surely we ought to do what we said we were going to do last fall. We said we would see how it worked; we would see what the Ombudsman felt with regard to the proper procedure to be followed. In the first opportunity the Ombudsman has agreed to a certain procedure to be followed. Surely, having taken that step last fall, we should follow the procedure that he and the Premier of this province have agreed upon, seconded by the Leader of the Opposition, quite properly, and then work it out with that same Ombudsman committee at the end of the first complete calendar year as was always anticipated by that committee.

**Mr. Singer:** It was never anticipated.

**Mr. Grossman:** Of course it was.

**Mr. Singer:** You didn't even read what you signed.

**Mr. Grossman:** That's exactly what you said.

**Mr. Singer:** Read it! You signed it but you should read what you signed!

**Mr. Speaker:** Order, please.

**Mr. Godfrey:** When the reports are presented they should be brought forward as speedily as possible, and I would echo my colleague's plea to the Premier to bring this report forward as quickly as possible so that the select committee can act upon it. I'd like to put it, in the terms of the present Ombudsman's report, in the human dimension.

This particular report with regard to the Pickering land problem represents the result of many months of inquiry, where many individuals have been involved and at last their hopes have been raised. For the first time they see that somebody has come to

their aid and has listened to them. They sat and listened to me in the House in November when I asked the Minister of Housing if he was going to do anything about land which was being acquired under duress, and they heard his answer that he denied land was acquired under duress. At that time presumably he had the information and did not send it forward to the Ombudsman.

They also heard me in December put the same question, and at that time once again their hopes were thrown down by the response from the Ministry of Housing that there was no duress involved in these things. Now their hopes have been raised again by the publication of the Ombudsman's report. Once again, they're cast down because the Ombudsman has spoken and he's been countered by a minister who doubts somehow that this report is a valid report and will not accept the recommendations.

So I would urge that in order once again to give justice to the people in this particular instance and those who in future instances will be subject of the Ombudsman's reports, that the matters be brought forward very speedily and a decision be made. I am concerned as to whether the same practices which are pointed out in the Pickering report as to how the province acquires land when it's expropriating or trying to get it for some project, are not being carried on today in other parts of the province and are really not generating more human discomfort and possibly a future Ombudsman's report in the same manner.

I would point out the urgency to have these matters solved, because there are legal matters which are going on. There are, for example, writs returnable in the Supreme Court which are being acted on at present which hinge upon whether or not the Ombudsman's report is accepted. There are notices of arbitration before the Land Compensation Board which hinge upon whether this report is acted upon speedily or not.

I would support the resolution and would urge that some decision be brought back so that we can give some gratification as quickly as possible to these people, who I feel have been injured.

**Mr. Nixon:** Just briefly, Mr. Speaker, I believe the recommendation from the original select committee should have been followed and that the committee that had been established under the statute, if the recommendation had been followed, would have been a standing committee with powers of a select committee to continue its deliberations as necessary. I wish that had been done. I am



glad that this resolution will establish something close to it.

I have a couple of concerns, however. The Leader of the Opposition indicated that in our own way we are groping towards a procedure that might be very effective indeed in dealing with the recommendations that come from the Ombudsman from time to time. I personally have a concern as a member of this Legislature with a procedure that puts us, as members, in an administrative capacity. I am concerned that as we move in that direction we are making problems for ourselves.

While this select committee is a competent one indeed, the idea of them spending the summer reviewing each of the 44 cases that have been a part of the recommendation of the Ombudsman, with the opposing, or let's say parallel, information from the Minister of Housing, concerns me. It is almost as if we are establishing ourselves or a part of ourselves as a royal commission investigating into this specific area.

I am just indicating that if the committee does proceed that way and makes a final recommendation to this House that case A is good, case B is half good and case C should be decided in a certain way, then we are moving in a direction which I simply say is more judicial than legislative, it is more administrative than legislative, and I think we must be aware of it.

I would also say that the only strong feeling I have in this connection is that the concept of the Ombudsman and the concept of responsible government do not mix in all respects, and as we move further and further to the actual implementation of a procedure—

**Mr. Cassidy:** You can never stop having two positions, can you?

**Mr. S. Smith:** Oh, Cassidy, you're such a nit-wit. He is making a very reasonable statement.

**Mr. Nixon:** I don't know what's relevant about your comments. Oh, he doesn't matter.

Mr. Speaker, just in closing, let me say this, as for myself, and I'm sure many other members of this House, when it comes to the point when an administrative decision has to be made then obviously it is not the Ombudsman who can dictate that decision. Of course, there will be politics involved in this as well as the individual judgement of well-motivated people, but every attempt we have to divorce this matter from politics, or partisan politics, while it's admirable that we

can do our best so to do, in the long run it becomes almost impossible.

If it were going to come to a head now it would be an issue of is the government supporting the Ombudsman or is it not, and this could be a rather inflammatory issue and a political issue. But I say to you, Mr. Speaker, and I know you're very interested in this, when it comes down to the final analysis it's got to be the government that makes the disposition of the matter and then stands or falls on its political basis and there should be no apology for that on the basis of the decision.

I'm concerned that we're setting up a committee of competent, well-motivated people who, in fact, are going to be acting as some sort of a royal commission. They may even be asked to make administrative decisions, or, in fact, dictate administrative decisions, and I am concerned about that as a member of this House.

**Hon. Mr. Davis:** Mr. Speaker, perhaps just to respond very briefly to two or three of the observations, I listened to 90 per cent of it. I must say that the member for Brant-Oxford-Norfolk—I never get them in the right order but I hope I have today—some of his observations, of course, were quite valid but not necessarily consistent with some of the other observations.

I think, from our standpoint, we are still feeling our way in the concept of the Ombudsman and how these things are to be dealt with, and I would be reluctant to see the select committee, without in any way prejudging its activities, necessarily reassessing all 44 cases, sort of becoming a forum of inquiry in that sense of the word. I visualize it functioning on a somewhat broader basis dealing with matters of concept, of principle, rather than having to make determinations on 44 cases. That is not the way I would see it. I presume to say this because the chairman of this proposed committee is here.

I must say that I share the point of view of the member for Lakeshore, not being nearly as knowledgeable in the law as the member for Wilson Heights or the member for Ottawa East, as to whether the Premier should or should not be able to carry on discussions in that the report is now before the House, except to say that really what the government has, with the support of the opposition, introduced has been as a result of discussions with the Ombudsman, knowing that the House would probably adjourn today. For very good reasons, reasons which I supported, his report should have been filed and yet the legislation

provided no vehicle to do anything about it once it was here.

It would have been, I guess, possible for the government to have put it on as an order. We could have called it at 8 o'clock tonight and debated it for 2½ hours and perhaps that might have satisfied the situation. But I feel very keenly that some vehicle should be found, some way that people would have an opportunity to express points of view here in this House and that, in a report of this nature at least, the more rational way would be to have a select committee assess it first. But I would be somewhat disappointed, and I don't want to lead the members of the House astray—the Ombudsman and I may agree to disagree, I don't know—but I think it would be unfortunate because I think that part of the function of the Ombudsman is to investigate, lay out a problem and, by persuasion as much as anything else, get his point of view accepted by the ministries and by the government. The member for Brant-Oxford-Norfolk is quite right, at some point in time, some of these things could become partisan. I would be reluctant to see that, but it is possible. There is no question about that.

[4:00]

I was intrigued by the observations about a free vote but then I ask those who suggest this to us to take this particular situation; I think it is conceivable. The minister has acknowledged yes, some without question and he has accepted in terms of a principle—and this is where, really, there has been more agreement between the ministry and the Ombudsman than some people realize—that his view was that, where in fact a person had been persuaded to sign an agreement on the basis that expropriation was just around the corner, the February 1974 date would apply. I think it's a question of finding a vehicle to make sure that all of this is understood and is acceptable.

But if there was an agreement to a free vote, I am sure the member for Sarnia (Mr. Bullbrook) and others would realize that we are talking, too, about perhaps very significant sums of money. It is not an issue like capital punishment. It is not an issue that I could see being part of an Ombudsman's report to this Legislature where we are talking maybe about a social problem or a matter of some policy. Here we are potentially talking about the expenditures of large sums of money. Is it technically possible? I want to be very careful about being right in the parliamentary process. I listened to the lecture from the member for Sarnia very carefully.

**Mr. Bullbrook:** It was not a lecture.

**Hon. Mr. Davis:** No, it wasn't; I am teasing.

**Mr. Bullbrook:** And I am short-tempered.

**Hon. Mr. Davis:** I understand that. I say to the leader of the Liberal Party who raised it, can a government, in fact, say there will be a free vote on a matter involving several million dollars of potential expenditures? I am not going to give you the answer because I don't know. I raise it as a question. I am dubious that we can discharge our responsibilities as ministers of the Crown in a free vote where we are talking about millions of dollars.

**Mr. S. Smith:** It is a sense-of-the-House vote.

**Hon. Mr. Davis:** I think with respect that when you talk about the sense or the ambience or the feelings of the House, that is different from saying: "Yes, it's a free vote. I would like to support the Ombudsman because I don't have to worry about the consequences in terms of expenditure of funds."

**Mr. S. Smith:** Then it is up to the government and it can be followed by a non-confidence vote.

**Hon. Mr. Davis:** We have been discussing things that aren't going to be solved here this afternoon. There is no intention of solving them, but I just raise for your consideration some of the things that I have had to consider in the past two or three days. I felt, and I still feel, that this is the best interim solution so that the House will have an opportunity, if necessary, through the select committee to deal with this while we are in recess.

I think it would be unfortunate—we could call the House back, I guess, in the first week of August if the Ombudsman and I have agreed to disagree and we could have a three-hour debate on his report. It would accomplish nothing—and I don't mean to be misunderstood. I am not sure that every member can talk with total knowledge of what was in the report even if we had that three-hour opportunity. And so I rejected that. We could have done it today; we could do it tomorrow morning. I have discussed this procedure with the Ombudsman. He will be speaking for himself but I think he feels relatively comfortable as an interim step with this sort of approach.

I have taken notice of the points raised opposite of the need to look at a more perma-



nent vehicle. I have listened to the member for Wilson Heights. I would like to give him credit for part of this in some respects. As I heard it on the radio apparently this morning, they really had made this determination to a certain extent. I am delighted that the Leader of the Opposition is going to support this motion and, I assume, the members of the Liberal Party, because I think probably as an interim vehicle it is the best route to go.

I can assure the member for Lakeshore or whoever, the Ombudsman and I will not be delaying it. I have made known to the Ombudsman that I do have certain commitments of a semi-official or non-official nature for the next few days and I will not be dealing with it for about a week approximately. I do have those other responsibilities. But we will not be looking for ways and means to prolong it.

**Mr. Roy:** Are you in shape to take that on?

**Hon. Mr. Davis:** I certainly am.

**Mr. Singer:** For 1,500 metres?

**Hon. Mr. Davis:** I will conclude my very brief observations by saying I have listened to and I think we have all learned something from the views expressed by the various members and hopefully this will be at least a step in finding a more permanent route for the Ombudsman to function properly here in this jurisdiction.

Motion agreed to.

#### POINT OF PRIVILEGE

**Mr. Bounsall:** Point of privilege, Mr. Speaker. I just want to bring to the attention of the House a reference in my remarks in the debate yesterday afternoon relating to the anti-inflation bill. The bringing to my attention of a 40 per cent increase in sandpaper and 52 per cent increase in screws at a particular Canadian Tire store within a week, was incorrectly attributed to my neighbour, George Horobin. It was, in fact, brought to my attention by my Queen's Park assistant, Betty Bib. It was she, herself, who was doing her own home repairs over Thanksgiving weekend. I ask, Mr. Speaker, that the record be corrected.

Interjections.

**Mr. Speaker:** Introduction of bills.

#### SPECIAL EDUCATIONAL PROGRAMMES ACT

Mr. Deans, on behalf of Mr. Foulds, moved first reading of bill intituled, An Act respecting Special Educational Programmes.

Motion agreed to.

**Mr. Deans:** Mr. Speaker, the member for Port Arthur would have me point out to the House that this bill could also be entitled a bill of educational rights for handicapped children. It would, if passed, guarantee access to education to all children of compulsory school age who suffer from any kind of learning disability including but not confined to the blind, deaf, autistic, mentally handicapped and perceptually handicapped. It would require boards of education to provide special education services for all those children under their jurisdiction who require such services. In the event that the board does not have the resources to do so, because of its size, the board could purchase the service from neighbouring boards, or a provincial institution adequate to meet the needs of the children in question.

It's outrageous that in this day and age, in a province with the resources of Ontario, that all children are not guaranteed the right to an education. This bill would remedy this situation.

#### POLITICAL RIGHTS FOR PUBLIC SERVANTS ACT

Mr. Cassidy moved first reading of bill intituled, An Act to provide Political Rights for Public Servants.

Motion agreed to.

**Mr. Cassidy:** Mr. Speaker, the decision of the government to overrule the Supreme Court of Canada and to put public servants back under the wage controls of the Anti-Inflation Board has deprived these public employees of the only vehicle they now have to influence the government—that is, their right to bargain collectively. It seems to me, therefore, that it is more imperative than ever that action be taken by the Legislature in order to permit public servants their full political rights, which are open to any other group in society.

**Mr. S. Smith:** This is not the principle of the bill. This is his opinion of the bill.

**Mr. Speaker:** We do not debate the bill we—

**Mr. S. Smith:** The principle of the bill; not your opinions about it.

**Mr. Speaker:** Order, please.

**Mr. Cassidy:** Mr. Speaker, this bill is designed to give full political rights to public servants. Right now they cannot even write a letter to an editor on any matter regarding the platform of a provincial or federal party.

**Mr. Speaker:** All right; that is part of principle—but the other is not.

**Mr. Cassidy:** The bill provides that public servants will be able to write, speak, contribute, solicit funds, work, join, hold office, and vote on behalf of, in, for or to a political party or candidate in a federal or provincial election. It protects public servants from punitive action by their superiors or from being forced to carry out partisan duties as a condition of their employment. We believe this is a fundamental right and move its adoption by the Legislature.

**Mr. Speaker:** I should again remind the hon. member, although it should not be necessary, that the statement accompanying a bill is supposed to announce a principle, what the bill does, and it should not be substantiated—

**Mr. Cassidy:** That was their reaction.

**Mr. Speaker:** Order, please, order. It should not be substantiated by argument.

#### ANSWERS TO WRITTEN QUESTIONS

**Hon. Mr. Welch:** Mr. Speaker, before the orders of the day I want to table the answers to questions 103, 105 and 134 standing on the notice paper. (See appendix, page 4080.)

#### POINT OF PRIVILEGE

**Mr. Drea:** Mr. Speaker, before the orders of the day I want to draw your attention to the transcript I have here, which is H-2155-3 of yesterday, where I was accused by the member for Kitchener-Wilmot (Mr. Sweeney) of the most heinous crime, which is the accusation of high treason.

**Mr. Breithaupt:** No, it was just ordinary treason.

**Mr. Drea:** Well, I regard this as very, very, very serious, all right.

**Mr. Lewis:** You should not press it as lightly as that.

**Mr. Drea:** Oh, I am going to press this.

**Mr. Speaker:** Order, please. The hon. member will state his point of privilege.

Interjections.

**Mr. Speaker:** Order, order. We are wasting time. Order.

**Mr. Peterson:** Why didn't you give notice last night?

**Mr. Cassidy:** You know you are going to dig yourself in deeper.

**Mr. Lewis:** Resign, resign.

**Mr. Speaker:** Order, please. Order, please.

**Mr. Drea:** Wouldn't you love that?

**Mr. Lewis:** Shall we take a vote?

**Mr. Speaker:** Order please. The hon. member is rising on a point of privilege, will he please continue and the rest of the House please refrain from interjections?

**Mr. Roy:** Plead insanity, Frank.

**Mr. Shore:** There are two people talking.

**Mr. Drea:** Mr. Speaker, I rise on a point of personal privilege. I am well known in this House that—

Interjections.

**Mr. Drea:** —in terms of fair comment, Mr. Speaker, I very seldom say anything. But Mr. Speaker—

**Mr. Shore:** That's right.

**Mr. Roy:** Plead insanity, Frank.

**Mr. Speaker:** Order, please. The hon. member for Scarborough Centre has the floor.

**Mr. S. Smith:** That's so characteristic of a Tory back-bencher.

**Mr. Peterson:** Drunkenness is a legitimate defence.

**Mr. Martel:** You will never make it to general manager of Inco.

**Mr. Drea:** I wouldn't want to be the general manager of Inco and neither would you if you had a brain in your head.

**Mr. Shore:** Who wrote this for you, Frank?

**Mr. Drea:** Mr. Speaker, the accusation has been made against me on those particular pages about treason. As a matter of fact, on page A-6 of the Toronto Star today there is



a suggestion—as a matter of fact it is printed, and that is the matter of treason.

**Mr. Peterson:** Do you believe in the death penalty, Frank?

**Mr. Drea:** Well, of course, if I were in your position maybe I wouldn't wonder about the seriousness of this.

**Mr. Speaker:** Order, please. This is not a debate, I point out. The member should just simply state the point of privilege which he feels he has, and I notice the hon. member for Kitchener-Wilmot is not in the House so there cannot be any correction of it. If the hon. member has a point of privilege he wishes to make, would he do that without any debate or argument, please?

**Mr. Drea:** Mr. Speaker, I am trying to make a point of privilege. I have been interrupted rudely a number of times by other people.

**Mr. Speaker:** Would the hon. member continue with his point of privilege, please?

**Mr. Drea:** The point is that I regard the charge that I am somebody who is treasonous to the Crown to be a most substantial one. I would suggest to you, Mr. Speaker—

**Mr. Shore:** We took a vote on that. It was 9-8.

**Mr. Drea:** —that I want, at the very least, that accusation withdrawn. Furthermore, Mr. Speaker, I want to say to you, and we are talking as one member to another in this House, to accuse another of treason, I find that that is the kind of irrational, contemptible statement that really should result in the vacation of a seat.

**Mr. Breithaupt:** Then resign.

**Mr. Drea:** I am suggesting to you, Mr. Speaker, and I will put my record of service before you, I will put my record of service to the community, I will put my military service record before you—

**Mr. Shore:** Show us your medals too?

**Mr. Peterson:** Which war and which side?

**Mr. Drea:** I think this is a most serious and a most despicable charge that has been levied upon me. I realize the particular member for Kitchener-Wilmot has chosen for reasons best known to himself, and I don't know why, not to be here at this time—

**Mr. Breithaupt:** No, that's foolishness.

**Mr. S. Smith:** Because he is afraid of you, Frank.

**Mr. Drea:** —and I would suggest to you, Mr. Speaker, that on the first day we meet again, I not only want the comments that were made on this page withdrawn—

**Mr. S. Smith:** Get the Attorney General to defend you against the charge.

**Mr. Drea:** —I also—

**Mr. S. Smith:** You will probably get off with 20 years.

**Mr. Drea:** Mr. Speaker, I suggest to you that I want the member for Kitchener-Wilmot called before the bar of this Parliament—

**Mr. Speaker:** Order, please.

**Mr. Drea:** —to explain exactly why he drew those—

**Mr. Speaker:** Order, please. I think the hon. member has made his point of privilege. The hon. member who is the subject of his point of privilege is not here and therefore there can be no correcting action at this point.

**Mr. Drea:** Mr. Speaker, with all due respect, it is very easy not to have to answer for what you have said.

**Mr. Speaker:** Order, please.

Orders of the day.

## ANTI-INFLATION AGREEMENT ACT

Hon. Mr. McMurtry moved third reading of Bill 127, An Act to ratify the entering into of an Agreement under the Anti-Inflation Act (Canada).

The House divided on the motion for third reading of Bill 127, which was approved on the following vote:

AYES	NAYS
Auld	Bain
Belanger	Bounsall
Bennett	Breaugh
Bernier	Bryden
Birch	Cassidy
Breithaupt	Davidson
Brunelle	(Cambridge)
Bullbrook	Davison
Campbell	(Hamilton Centre)
Conway	Deans
Cunningham	Di Santo
Davis	Ferrier

AYES	NAYS
Drea	Germa
Eakins	Gigantes
Edighoffer	Godfrey
Evans	Grande
Ferris	Laughren
Gaunt	Lewis
Givens	Lupusella
Good	MacDonald
Gregory	Mackenzie
Grossman	Makarchuk
Hall	Martel
Handleman	Moffatt
Henderson	Philip
Hodgson	Renwick
Irvine	Sandeman
Johnson	Warner
(Wellington- Dufferin-Peel)	Wildman
Jones	Young—28.
Kennedy	
Kerr	
Kerrio	
Lane	
Leluk	
MacBeth	
Maeck	
Mancini	
McCague	
McKeough	
McKessock	
McMurtry	
McNeil	
Meen	
Miller	
(Haldimand-Norfolk)	
Miller	
(Muskoka)	
Morrow	
Newman	
(Durham York)	
Newman	
(Windsor- Walkerville)	
Nixon	
Norton	
O'Neil	
Parrott	
Peterson	
Reid	
(Rainy River)	
Rhodes	
Riddell	
Rollins	
Roy	
Ruston	
Scrivener	
Shore	
Singer	

AYES

Smith  
(Hamilton Mountain)

Smith  
(Hamilton West)

Snow

Spence

Stephenson

Taylor

Timbrell

Villeneuve

Welch

Wells

Worton

Wiseman

Yakabuski—75.

**Clerk of the House:** Mr. Speaker, the "ayes" are 75; the "nays" 28.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the legislative assembly and took her seat upon the throne.

#### ROYAL ASSENT

**Hon. P. M. McGibbon** (Lieutenant Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following is the title of the bill to which Your Honour's assent is prayed:

Bill 127, An Act to ratify the entering into of an Agreement under the Anti-Inflation Act (Canada).

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to this bill.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

**Hon. Mr. Davis:** Just before moving the adjournment of the House, I'm sure that all members would like to join with me in expressing our very best wishes to Her Majesty on her anticipated visit to the Province of Ontario and, in that I will be seeing her on one or two occasions, I will take the best wishes of all members of the House to her.

I am also sure that members would like to join with me in wishing the Canadian athletes who are starting their competitions in the



next couple of days at the Olympics great success, particularly those from the Province of Ontario. I have to confess that I don't know enough about them to be making any wagers on any of those particular events—

**Mr. Reid:** It never stopped you before.

**Hon. Mr. Davis:** —but I know that all members of the House will join in wishing them well and express the hope that the Olympics will be as successful as has been the case in the past. I think we're all looking forward to it. Once again I made the mistake of wishing you all a very pleasant vacation some three weeks ago. I won't do it again.

**Mr. Breithaupt:** See if you can get it right this time.

**Hon. Mr. Davis:** Have a good holiday, for whatever length of time is involved.

**Mr. S. Smith:** Mr. Speaker, I wonder if the House would join with me in extending to the member for Essex South (Mr. Mancini) best wishes for his coming marriage on Aug. 14. Presumably we won't be reassembled before then, and everyone is invited, I suppose.

**Hon. Mr. Davis:** Have you checked with John Smith?

**Mr. Roy:** Any advice?

Hon. Mr. Welch moved the adjournment of the House.

Motion agreed to.

**Mr. Speaker:** This House stands adjourned until a date to be named by the Lieutenant Governor by her proclamation.

The House adjourned at 4:55 p.m.

## APPENDIX

(see page 4076)

Answers to questions were tabled as follows:

103. Mr. McClellan — Inquiry of the ministry: 1. Will the Ministry of Transportation and Communications supply: An itemized list of the income sources of the Urban Transportation Development Corp. including direct payments by the government of Ontario to the corporation and any payments under contract between the corporation and any agency of any government or any corporation or individual; for each contracted item, the name of the contracting agency, the amount of the contract, and the time period over which the amount is to be paid, a description of the work to be performed under the contract and a summary of progress to date. 2. Will the ministry supply a list of the work programme of the Urban Transportation Development Corp. indicating for each project the nature of the project, the amount budgeted, the estimated completion date, the name, amounts paid to and role in the project of any contractors or subcontractors to the corporation. 3. Will the ministry supply a list of all contractors and subcontractors to the Urban Transportation Development Corp. and for each contractor or subcontractor the amount to be paid and the nature of the work to be performed. 4. Will the ministry supply a list of the research and development projects in urban transportation now in progress within the ministry together with a description thereof, an estimated completion date, and an amount budgeted therefor. 5. What is the price to be paid by the Toronto Transit Commission to the Urban Transportation Development Corp. for light rail vehicles and how is that price broken down amongst research and development expenses, overhead, and actual costs of construction.

Answer by the Minister of Transportation and Communications:

1. The Urban Transportation Development Corp. income is derived from the sale of our various products to a large number of buyers; that is, over 160 small buses, a number of shelters and wheelchair lifts; also through the sale of consulting services to various buyers and by the licensing of technical development to manufacturers both in Canada and in various foreign countries; product licenses apply in such products as the wheelchair lift, the transit seat and small bus programme.

In addition, income is derived from the sale of the light rail vehicle (LRV) to the Toronto Transit Commission, the contract value is \$72,793,000. The contract was signed in August, 1975 and the full 200 vehicles will have been completely delivered by Dec. 31, 1979. All subsystem contracts have been signed with the exception of the Canadian car builder, and this will be tendered later this year.

The Urban Transportation Development Corp. also has a contract with the Ministry of Transportation and Communications valued at \$6.1 million, for the intermediate capacity transit system programme. This was to carry out a preliminary design and development programme for an intermediate capacity transit system (ICTS). This contract has been completed as of June 1, 1976.

In addition, other income sources are derived from various government grants, largely Federal. For instance, Industrial Design Assistance Programme (IDAP) and Programme for Export Market Development (PEMD). They are all for very small amounts—usually approximately \$20,000 or less.

Also, consulting revenue is being earned in a number of contracts—for instance, the Transportation Development Agency has engaged the Urban Transportation Development Corp. in various areas with revenue of approximately \$150,000 to evaluate various transit configurations throughout Canada.

2. Presently, subcontracts exist with the following companies:

ICTS: Canadair; SPAR; S.E.L. (Standard Elektrik Lorenz); K. V. N.; and ABAM.

CLRV: S.I.G. (Swiss Industrial Co.) design contract valued at \$2.7 million; production contract valued at \$2.2 million. Garrett Manufacturers for the propulsion system, \$23.4 million. KNORR for the brake system, \$4.2 million. Vapor of Canada for door controls and air comfort system, \$1.4 million. Railway and Power for lightweight coupler, \$1.8 million. OTACO (OTACO Industries Ltd.) for seats, \$780,000.

3. Other smaller subcontracts exist or have been carried out with OTACO, Ontario Bus Industries Inc. and S.E.M. Design Center Ltd. Further programme activity involves



the operations of the Urban Transportation Development Corp. in the formation of consortiums for turn-key transit programmes. At present, the Urban Transportation Development Corp. is bidding on transit programmes in Calgary, Cuba and Caracas.

4. Research and development projects in urban transportation now in progress within the ministry:

Project	Estimated Completion Date	Budgeted Amount for 1976/1977 Fiscal Year	Previous Amount Expended
WHEEL RAIL NOISE PHASE II: A study of the physics of noise generation including the construction and testing of two new wheel concepts to determine their physical properties with reference to noise generation mechanics.	January 1977	\$8,800	\$71,440
RAIL VEHICLE GUIDANCE: A study of the stability and curving ability of rail vehicles including the development of computer programmes to analyze and help refine the design of railed vehicles.	January 1977	\$28,550	\$19,200
SUPPORT TO METRO ON SCARBOROUGH LRT TRANSIT LINE: To assist Metro in a study of the application of LRT on the Eglinton/Kennedy to Scarborough Town Centre transit line.	January 1977	\$3,000	\$9,000
TRANSIT INFRASTRUCTURE PHASE I: State of the art study and report.	July 1976	\$7,525	\$25,475
RAIL VEHICLE CURVING: This project examines the dynamics of a rail vehicle entering a horizontal curve and is applicable to rail vehicle and rail infrastructure design and maintenance.	January 1977	\$7,265	\$6,860
ELEVATED GUIDEWAY DESIGN STUDIES FOR LRT SYSTEMS: A comprehensive design study to select the most suitable section for LRT elevated guideways.	November 1976	\$22,150	\$4,250
NETWORK SIMULATION: The development of computer simulation models for analyzing and testing alternative operating strategies for fixed guideway transit systems.	January 1977	\$4,000	\$34,265
STATION SIMULATION: The development of computer simulation models for evaluating and assisting in the design of track layout configurations in advanced fixed guideway transit stations employing multiple tracks.	September 1976	\$2,000	\$10,000
TRANSIT DEMAND MODELLING: Development of effective computer models for: (a) Predicting transit ridership on new transit routes or route extensions; and (b) predicting the effect on ridership on existing transit routes of changes in service parameters such as fare and headway.	May 1977	\$33,700	\$2,540
BUS OPERATIONS: An evaluation of improved service strategies for bus operations, such as express service and limited stop, and their effect on level of service. The development of suitable computer models for analyzing alternative strategies. A study of the experiences of different operating authorities with innovative operating schemes and the reasons they	January 1977	\$13,450	\$8,200

Project	Estimated Completion Date	Budgeted Amount for 1976/1977 Fiscal Year	Previous Amount Expended
appear to work in some municipalities but not others.			
PROPULSION SYSTEM DESIGN RATIONALE: This project is a review of propulsion systems around the world in an attempt to establish a set of fundamental reasons to account for the choice of a particular propulsion system. The programme has been extended to cover flywheels, road vehicles and the cost benefits thereof.	June 1976	\$2,340	\$8,865
PROPULSION SYSTEM DATA SEARCH AND ANALYSIS: This project will develop parametric data and an analysis of propulsion system components such that a realistic assessment can be made of new performance goals pertinent to new equipment specifications for future systems.	January 1977	\$1,525	\$2,475
APPLICATION OF PCU: This is a literature survey of the state-of-the-art in solid state power conditioning equipment for traction drives.	June 1976	\$425	\$3,175
ELECTRIC VEHICLES: This project which covers urban cars, vans and buses plans to obtain all currently available information on battery powered electric road vehicles to provide a basis for assessing their viability in terms of functional performance, safety, reliability, maintainability, cost, energy and the effect on the environment.	October 1976	\$4,700	\$3,300
ROLLING STOCK RELIABILITY DATA BANK: This is an inventory of rolling stock reliability data to estimate the Mean Miles Between Defects (MMBD), the Probability Density Functions (PDF) for miles between defects, to examine the dependence of MMDF and PDF on vehicle age and to estimate the Mean Time to Repair (MTTR) for various sub-systems.	May 1976	\$3,270	\$7,730
TRANSPORTATION AUTOMATION: State of the art study and report.	June 1976	\$12,600	\$12,400
ENERGY MANAGEMENT PROGRAMME: This programme is a composite project involving several investigations designed to improve and optimize energy subsystems in rail transit. Topics for investigation include vehicle aerodynamics, flywheel and non-flywheel energy storage, power loads simulation and an economic evaluation of energy saving systems.	June 1976	\$5,000	\$99,000
STATE SPACE RELIABILITY MODELS FOR A TRACKED TRANSIT SYSTEM: This project is to complete and document previous work spent on the reliability modelling of track bound transit systems including the associated computer programme.	October 1976	\$5,000	\$1,100

5. The price charged to the TTC as of March 31, 1975, was \$364,000 per vehicle.



105. Mr. Moffatt—Inquiry of the ministry: In light of the cabinet’s decision of 1974 to add the Second Marsh at Oshawa to Darlington Provincial Park, when will this decision be implemented? How much money has been allocated to bring about this programme?

Answer by the Minister of Natural Resources:

The government remains interested in adding Second Marsh to Darlington Provincial Park provided it can be acquired from the owners, the Oshawa Harbour Commission. Constraints imposed upon the land acquisition budget of the Ministry of Natural Resources effectively preclude the acquisition of this holding within the current budget year.

134. Mr. Reid (Rainy River)—Inquiry of the ministry: Would the Minister of Health advise to which towns and villages doctors and dentists have been sent under the province’s programme for underserviced areas (doctors and dentists) and advise the total cost of the programme and the amount of the subsidies paid to doctors and to dentists from the time the programme began until May 31, 1976?

Answer by the Minister of Health:

Attached are lists of the communities into which doctors and dentists have gone with support on the underserviced area programme.

The administration costs are for one full-time physician, 20 per cent of the time for one dentist, three full-time secretaries and travel cost for the doctor and dentist in charge of the programme. To give an exact figure for the administrative costs would entail a tremendous amount of research because this programme over the years has been reorganized through several budgets.

The total amount of the subsidies paid to doctors and dentists from the time the programme began, Oct. 1, 1969, until March 31, 1976, is \$2,355,994.16. This figure does not include the retraining costs of the Czech dentists (\$160,000), the mobile dental coaches, nor the nursing stations developed by the underserviced area programme. Forty to fifty per cent of the money spent for undergraduate bursaries (\$1,374,000 out of the total of \$2,355,944.16) is being, and some has been, recovered from those doctors and dentists who have failed to return service.

April 1, 1976

PROGRESS REPORT

PROGRAMME FOR AREAS DESIGNATED AS UNDERSERVICED FOR DENTISTRY

1.	Dentists required—practice locations .....	105
	Programme dentists in practice .....	67
	—contract 1 .....	4
	—grant 38 .....	5
	—without support 19 .....	
	Applicants accepted but not located .....	5
	Open locations .....	38
2.	Undergraduate Bursary Programme .....	
	—Bursaries awarded 1969-1973 .....	73
	—Number of students that received bursaries .....	45
	—Returning service .....	3
	—Completed return of service .....	29
	—Withdrew from programme .....	13

April 1, 1976

AREAS DESIGNATED UNDERSERVICED FOR DENTISTS  
LIST No. 53

Northern Ontario	District
Atikokan	Rainy River
Balmerton-Red Lake	Kenora
Bruce Mines	Algoma
Chapleau	Sudbury
Dryden	Kenora

AREAS DESIGNATED UNDERSERVICED FOR DENTISTS  
LIST No. 53  
(continued)

Northern Ontario	District
Ear Falls	Kenora
Englehart	Timiskaming
Geraldton	Thunder Bay
Gore Bay	Manitoulin
Hornepayne	Algoma
Ignace	Kenora
Iroquois Falls	Cochrane
Lakehead Psychiatric Hospital	Thunder Bay
Little Current	Manitoulin
Manitouwadge	Thunder Bay
Massey	Sudbury
Mattawa	Nipissing
Moosonee	Cochrane
Noelville	Sudbury
Pickle Lake	Kenora
Smooth Rock Falls	Cochrane
Temagami (part-time)	Nipissing
Timmins	Cochrane
Whitney (part-time)	Nipissing
Southern Ontario	District
Bancroft	Hastings
Barry's Bay-Killaloe	Renfrew
Blenheim	Kent
Calabogie (part-time)	Renfrew
Clarence Creek-Alfred	Russell
Lucknow	Huron
MacTier (part-time)	Muskoka
Maxville	Stormount
Paisley-Chesley	Bruce
Petawawa	Renfrew
Port Rowan	Norfolk
Thamesville	Kent
Vankleek Hill	Prescott

Subject to change without notice

April 1, 1976  
PHYSICIANS PROGRESS REPORT  
UNDERSERVICED AREA PROGRAMME

1.	Designated areas .....	177
	For physicians .....	160
	Primary care nursing services .....	17
2.	Physicians required (designated positions) .....	300
	Programme physicians in practice:	
	Contract .....	46
	Incentive grant .....	125
	On location without support .....	89
	Total .....	260
	Recommended but not yet located .....	7
	Vacant positions .....	33



## BURSARY STUDENTS

Graduate and Undergraduate Students on Bursary Programme .....	217
Left before completion .....	5
Deceased .....	2
Opted out of return-in-service .....	86
Returning service .....	58
Completed return service and left area .....	16
Remained on location .....	22
Interning .....	28
	—
Total .....	217

## AREAS DESIGNATED UNDERSERVICED FOR PHYSICIANS

## Northern Ontario

Northeastern region  
 Algoma district  
 White River  
 Cochrane district  
 Cochrane (summer 1976)  
 Hearst  
 Timmins  
 Sudbury district  
 Warren, St. Charles  
 Chapleau

Timiskaming district  
 Earleton  
 Northwestern region  
 Thunder Bay district  
 Geraldton  
 Rainy River district  
 Rainy River  
 Kenora district  
 Red Lake  
 Pickle Lake

## Southern Ontario

Eastern region  
 Prescott county  
 Vankleek Hill  
 Russell county  
 Clarence Creek  
 Leeds county  
 Newboro  
 Lansdowne

Central region  
 Simcoe county  
 Angus  
 Washago  
 Parry Sound district  
 Powassan  
 South River

## Western region

Essex county  
 Essex  
 Kent county  
 Tilbury

Wellington county  
 Harriston  
 Middlesex county  
 Newbury

Areas in southern Ontario do not qualify for financial support. This list is subject to change without notice. (Revised: May 25, 1976.)

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No. 98

Government  
Publications



# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Tuesday, October 26, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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1976

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An alphabetical list of members of the Legislature of Ontario, together with lists of members of the Executive Council and Parliamentary Assistants, appears as an appendix at the back of this issue.

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# LEGISLATURE OF ONTARIO

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TUESDAY, OCTOBER 26, 1976

The House met at 2 p.m.

Prayers.

**Mr. Speaker:** I am sure that the House will wish to welcome a distinguished member of Parliament of Finland in the person of Mrs. Mirjam Vire-Tuominen, who is seated in the Speaker's gallery.

Before we start the business of the day, I know that the members will be saddened to hear that Major G. Reginald Soame, who has served this House with distinction for a number of years, has been compelled by ill health to retire. I know that I express the feelings of all the members when I wish for his improved health.

At the same time I am pleased to announce that Mr. Thomas Stelling, who is well known to all of you and who has been a diligent and faithful servant of this House for a great many years, most recently as chief legislative attendant and, during Major Soame's enforced absence, acting Sergeant-at-Arms, has been appointed Sergeant-at-Arms to succeed Major Soame. Mr. Stelling will continue to exercise the duties that he has performed in the past, joined with the ceremonial duties of Sergeant-at-Arms, so that he will continue to direct the attendants and pages, such duties properly being the responsibility of the Sergeant-at-Arms.

Perhaps this would also be an opportune time to inform the House of the retirement, as legislative counsel, of Mr. W. C. Alcombrack, QC. I know that all the members of this House are very familiar with Mr. Alcombrack's outstanding ability and his services to the members and the House. He will be missed but, again, I am happy to advise that his position will be filled by Mr. A. N. Stone, QC, who has been Mr. Alcombrack's right-hand man for many years and whose abilities are also well known to the members.

Statements by the ministry.

**Hon. Mr. Davis:** Mr. Speaker, I would like to welcome the members back from what I hope was a pleasant and productive summer recess.

**Mr. Cassidy:** It was too long, actually.

**Hon. Mr. Davis:** Well, I knew the member for Ottawa Centre would feel any vacation away from here would be too long. I can only say to him that all of us—even some of his own colleagues—share that point of view as it relates to the member for Ottawa Centre from time to time, not always.

Before I deal with a matter of constitutional interest, I did want, in this House, to express the government's appreciation to the former chief government whip, the member for Mississauga South (Mr. Kennedy), who has always acted very fairly and decently with all members and I know that you will all want to wish him well in his new responsibilities.

Members will also notice that the very arduous job of chief government whip is now being performed by the member for Parry Sound (Mr. Maeck) and that his responsibilities have been made somewhat more difficult by an additional member to the government side of the House.

**Mr. Breithaupt:** He will make them difficult.

**Mr. Ruston:** You will find out how difficult, too.

**Hon. Mr. Davis:** It causes us complications for space, something you people don't totally understand.

**Mr. Reid:** I notice he is not sitting right behind you.

**Hon. Mr. Davis:** I refer of course, Mr. Speaker, to the member for London North (Mr. Shore) and we welcome his presence here as a Progressive Conservative.

**Mr. Cassidy:** He is the impending former member.

**Hon. Mr. Davis:** We welcome him here as a great Canadian with a wealth of political and administrative experience to bring to bear.

**Mr. Peterson:** And good judgement too.

**Hon. Mr. Davis:** And we welcome him to a cause of a strong and dynamic Ontario and we want to publicly express this welcome to him.

**Mr. Peterson:** Do you know what he thinks about you?

**Mr. Cassidy:** His career will be brief.

**Mr. Reid:** Is he still dizzy from all the turns he is making?

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Mr. Speaker, without becoming provocative I would like to inquire as to the health of the leader of the third party (Mr. S. Smith) and the Leader of the Opposition (Mr. Lewis) before we resume these proceedings. But I know they're both very fit, and I should alert them that in spite of what I read from time to time I have never felt better myself, and I say that for the members opposite and for some of my own colleagues as well.

**Mr. Peterson:** You look terrible. You look just terrible.

**Hon. Mr. Davis:** In fact my back doesn't bother me today at all.

**Mr. Cassidy:** Is this the new Bill Davis?

**Mr. Roy:** I understand your tennis hasn't improved at all.

**Hon. Mr. Davis:** My tennis has not improved, you're quite right. I don't spend as much time practising as some people I know.

**Mr. Roy:** That is obvious. You should.

#### PATRIATION OF THE CONSTITUTION

**Hon. Mr. Davis:** Mr. Speaker, I would like to report to members briefly on the intergovernmental discussions which have taken place during the past several months on the patriation of the constitution and on federal-provincial financial arrangements.

I say "briefly" at this time, as later in this session an opportunity will be provided to debate these matters more extensively.

For the members' information I am tabling the letter of October 15, 1976, from Premier Lougheed to Prime Minister Trudeau reporting on the results of the discussions among the Premiers on patriation and the Prime Minister's reply of October 19.

**Mr. MacDonald:** Do you agree with the letter?

**Hon. Mr. Davis:** I am also tabling the comments that I released at the conclusion of the Premiers' meeting on October 2. The provincial Premiers discussed the matter of patriation at their annual conference in Alberta in

August and again at a meeting in Toronto in October called especially for this purpose. These discussions were undertaken as a result of proposals put forward by the government of Canada in a letter on March 31, 1976, from Prime Minister Trudeau to all Premiers.

The position of Ontario throughout these discussions has been straightforward. Ontario would like to see the constitution brought home and at the same time have incorporated in it the amending formula set out in the Canadian Constitutional Charter of June, 1971, the so-called Victoria formula.

Procedurally we would prefer these steps to be taken on the basis of a unanimous agreement of the federal and provincial governments. Substantively we attach no conditions to achieving this important result. However, a number of other governments have other requirements.

To see whether these could be accommodated in the general intergovernmental agreement on patriation, we have been prepared to consider additional constitutional items raised by other governments to the extent that any changes proposed do not weaken the fundamental interests of the country as a whole. To this end, and with a few modifications, Ontario is willing to endorse the draft proclamation proposed by Prime Minister Trudeau on March 31. Similarly, we accepted a number of proposals for constitutional change raised by some provinces in the recent discussions. Others we could not accept.

With regard to the amending formula, the interprovincial discussions revealed that seven provinces joined with Ontario in favour of the Victoria formula. Two provinces, however, have put forward separate alternatives. There are thus two sets of proposals now on the table: those put forward by the Prime Minister in the spring and those developed by the provinces over the summer. The next logical step is a meeting of first ministers to consider all of these proposals and to determine if the impasse over the amending formula can be overcome.

I look forward to these discussions with the hope that we will be able to achieve the patriation of the constitution in a manner that will be acceptable to all Canadians.

As it relates to financial matters, I am also hopeful that in the next few months we shall be able to reach intergovernmental agreement on the federal-provincial fiscal issues that are now before us. These issues include the major shared-cost programmes, the revenue guarantee and the equalization formula. I do not expect that we shall receive all the revenues to which we believe we are legitimately entitled. However, recent meetings of



the provincial Ministers of Finance and Treasurers and informal indications from the federal government indicate that the basis for a compromise is slowly being established. I am optimistic that the next round of federal-provincial ministerial discussions will give us some indication of success.

#### FARM INCOME STABILIZATION PLAN

**Hon. W. Newman:** Mr. Speaker, later this afternoon, I shall introduce The Farm Income Stabilization Act, 1976.

**Mr. Reid:** For a second time.

**Hon. W. Newman:** It will be recalled that before the summer recess this House turned back Bill 96 for the establishment of a farm income stabilization programme in Ontario.

**Mr. Peterson:** If it is no better, we will return it.

**Hon. W. Newman:** It called for the incorporation of new provisions in a bill to be re-introduced by the end of this month. Members will see that the government has complied fully. I am confident that this second version, which was drawn up after close consultation with Ontario's agricultural community, will please the hon. members as well as the great majority of our agriculture producers in this province.

Interjection.

**Hon. W. Newman:** This time, however, I'd like to proceed a little more cautiously in explaining the Act's provisions and the reasoning behind them.

Interjection.

**Hon. W. Newman:** You all learned your lesson last summer. Now you listen. With all respect, Mr. Speaker—

**An hon. member:** Caution always, Bill.

**An hon. member:** You learned yours.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. W. Newman:** With all respect, Mr. Speaker, it became obvious in the original debate that some members had failed to grasp a few basic points about the whole concept of stabilization.

**Mr. S. Smith:** You have got a new speech writer anyway.

**Hon. W. Newman:** This is not said in any disparaging sense, I assure you. Maybe the fault was partly mine.

**Mr. Cassidy:** That is really new.

**Hon. W. Newman:** Agriculture has become a very complex subject and I may have assumed too much prior knowledge of developments that deserved fuller explanations.

**Mr. Cassidy:** That is the first admission of error in 33 years.

**Hon. W. Newman:** For the purposes of this legislation, farm income stabilization means putting a floor on farm income—saying the prices that farmers get for their products can go only so low and no lower. I would like to emphasize, however, that it does not mean putting a ceiling on farm income—saying that farm prices can only go so high and no higher. There have been some misunderstandings on this particular point.

Our stabilization programme will not interfere with the free operations of the marketplace. When the law of supply and demand provides a good price for a commodity, its producers will get the full benefit of that price; but when prices slump badly, there will be a safety net. The floor price will tide them over hard times and keep them in the business of growing our food until prices improve again.

**Mr. S. Smith:** What an interesting idea.

**Hon. W. Newman:** When the floor price is set at the proper level, there will be no interference in production decisions which should be up to the farmers alone.

It should also be noted that since this will be done within the free market system, we'll retain its built-in incentives for efficient production, for orderly marketing, and for fitting the supply of farm products to the demand for them. This means consumers should continue getting better buys in food compared with their earning power than can be found anywhere outside North America.

Let us deal for a moment with the risks we seek to help farmers insure themselves against.

[2:15]

**Mr. Conway:** Don't choke.

**Hon. W. Newman:** For convenience we can group the risks in two categories. First, there are the physical risks of farm production and storage—things like bad weather, disease, pests. Then there are price risks. These include unpredictable changes, both in the prices the farmer gets for his product and the prices he must pay for necessities such as fertilizer, feed and machinery.

The government of Ontario has done a great deal to reduce farm production risks. To cite one example in one area—

**Mr. Cassidy:** The government took the land out of production, sure.

**Hon. W. Newman:** —listen you—agricultural research has brought the development of high-yielding, disease-resistant varieties of grain. We haven't done much about the weather, I confess, but we have done a great deal to control its effects.

Examples of government-producer ventures that come to mind instantly are programmes to improve field drainage and, more recently, crop insurance.

Every year more Ontario farmers take advantage of insurance that protects them from financial losses through crop failures caused by the weather. The federal government pays half the premium, the farmers pay the other half and the government of Ontario pays all costs of administering the programme.

**Mr. Nixon:** Order. What is this, a speech?

**Hon. W. Newman:** I just want to make sure you understand it this time and that's why I'm taking my time.

**Mr. Nixon:** Mr. Speaker, on a point of order. You're aware, surely, that the matter the hon. minister is talking about has been debated in this House long before he was even a member and established here by the law and the action of the Legislature. Why are we spending time, in the ministerial statement period, for him to rehash that old stuff?

**Mr. Speaker:** I'm sure the hon. member knows that the purpose of ministerial statements is to make a full and complete statement of a policy. I remember many occasions when this has been demanded by all members of the House and this is exactly what is being done. The minister will continue.

**Hon. W. Newman:** Mr. Speaker, as I said at the opening of my statement, I want everyone to fully understand it this time.

Interjections.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Mr. Sargent:** Tell him to start over again.

**Hon. W. Newman:** Even when production risks are reduced, farmers must face price

risks. It is an irony of farming, in fact, that the success of producers can actually cause their income to decline. All of us reap the rewards of our farmers' production success in the form of abundant, top-quality, reasonably priced food. Consumers have implicitly recognized this by supporting the spending of millions in government money for agricultural research and development programmes. Having reduced the production risks, it's a natural progression to reduce the worst effects of price risks. There are several ways of doing this.

Through The Farm Products Marketing Act, for instance, the government of Ontario has provided a mechanism for farmers to establish marketing boards for their products and reduce fluctuations in prices. But they are still extremely vulnerable to international events and decisions. Most commodities marketed in Ontario are actually part of a world market, even though the bulk of the province's agricultural production is oriented toward domestic consumption rather than foreign trade. Commodities must compete on the world market—

**Mr. Conway:** Did Bill Stewart write this?

**Mr. Nixon:** This is a second-reading speech.

**Hon. W. Newman:** —at prices determined by the intricate laws of supply and demand. Our farmers, no matter how united, could never guard themselves adequately from unfavourable price changes affecting both their input and their output—the prices they must pay to produce and the prices they receive for producing.

While we have many ways of improving agriculture's viability, it is in this area that income stabilization programmes can be most effective. They won't interfere with these other programmes; indeed, they should be considered in conjunction with the other programmes for a better understanding of the agricultural economy.

Just as there are many forms of risk protection, there are many forms that farm income stabilization plans might take. The federal plan enacted as Bill C-50 last year distinguishes between commodities that are "named" in the Act and thereby guaranteed a support price, and commodities that may be "designated" for temporary inclusion from time to time. The "named" products are cattle, sheep, hogs, industrial milk and cream, corn, soya beans, and oats and barley not included in the provisions of the Canadian



Wheat Board. As market prices worked out, federal payments were made only for fed cattle last year, and then only from January to August. There were also industrial milk payments, but they're administered differently under a different Act.

The federal plan covers all Canadian producers of the commodities to which it applies. The farmers don't contribute to the plan. The support price is 90 per cent of the average market price for the commodity over the previous five years, plus an adjustment for increases in production costs. This adjustment is calculated on the current "cash cost"—which is defined as normal out-of-pocket expenses incurred in production minus the average cash cost over the previous five years. Cash costs, incidentally, do not include depreciation on buildings and equipment.

I might digress for a moment to clear up possible confusion about two related phrases commonly used in federal-provincial talks. One is "operating costs." These costs do include depreciation allowances as well as cash costs. The other phrase is "full cash costs of production." This is taken to mean cash costs, plus depreciation, plus all other overhead costs associated with the production process.

The government of Ontario has consistently argued that farm income stabilization is primarily a federal responsibility because, to be truly effective, it must be national in scope. We have pressed our arguments from that basis in almost four years of federal-provincial negotiations, and we'll continue to do so.

**Mr. Conway:** Like everything else. Pass the buck.

**Hon. W. Newman:** As it stands, however, the federal plan obviously doesn't offer nearly enough Ontario farmers the type of protection against price risks that I have been discussing.

That is the only reason we brought in Bill 96 earlier this year. It was an effort to provide coverage for our producers of this year's farm commodities while we continued pressing Ottawa to play a far greater role in implementing a realistic, comprehensive programme.

Only the federal government has responsibility for international trade regulations. Support prices for any commodity cannot be divorced from international trade, and no provincial government has powers to set quotas or tariffs on foreign food imports.

Ontario controls one-third of Canada's farm production, but we must rely on—

**Mr. Nixon:** Is it true you're going to import grape concentrates?

**Hon. W. Newman:** —Ottawa to keep our programmes from being eroded or erased by a flood of cheap imports. The current international controversy over offshore beef imports is a prime example, and a very painful one for all our beef producers in this country and this province.

**Mr. Bullbrook:** Offshore?

**Mr. Nixon:** Anybody offshore?

**Hon. W. Newman:** Our government has been urging a federal meat import law since early August. We face similar problems in exporting food products and we have to be sure our price support levels don't conflict with international agreements and bring retaliation against our products by countries that buy our products.

We must also avoid the risk, the very genuine risk, of pitting province against province if several or all of them should establish independent varieties of farm income stabilization. The other provinces are aware of the dangers of destructive competition and price wars. They are in general agreement with our stand that the ideal plan would be a nation-wide one that covers all commodities and encourages an efficient Canadian agriculture which would be competitive in the world marketplaces.

**Mr. Conway:** How much more of this?

**Hon. W. Newman:** Quite a bit.

Bill 96 was, therefore, designed to dovetail with the existing federal plan to avoid these dangers. At the same time, no further obstacles were placed in the way of extending and improving the federal programme.

**Mr. Ferris:** Is this a credit course?

**Hon. W. Newman:** To recapitulate very briefly, Bill 96 would have established a Crown commission to set floor prices at the same level as the federal plan. In emergencies the base level of support could be increased above 90 per cent of the five-year average of market prices, but only on a temporary basis.

It would have excluded commodities already named or designated in Ottawa's Bill C-50; they wouldn't need double protection. It would also have excluded commodities already regulated by Ontario marketing boards that set prices and allocate production

quotas in line with market demand. Dairy products, poultry and eggs fall in this category.

**An hon. member:** Is this important?

**Hon. W. Newman:** Yes, I think it's very important; maybe you don't. We felt dairy producers already get consistently fair prices that would have made additional protection unnecessary. With these exceptions, Bill 96 would have applied to every single producer of every single farm commodity in Ontario—farm products with a value of more than \$600 million.

**Mr. Cassidy:** That's not what the farmers tell us.

**Hon. W. Newman:** We knew we could afford that plan within the anti-inflationary restraints we have placed on government spending. We knew it would operate without providing incentives that would invite over-production and in consequence, bureaucratic interference in farmers' production decisions.

**Mr. Cassidy:** It's an exercise in self-justification.

**Hon. W. Newman:** You know—no, I won't say it; you'll learn someday, you'll learn; just give you time.

Interjections.

**Hon. W. Newman:** We felt we were offering the best plan we could offer at the time; but the majority in this House disagreed.

**Mr. Nixon:** Now you've seen the light.

**Hon. W. Newman:** Permit me to recall the proceedings of June 15.

**Mr. Ferris:** Permission granted.

**Hon. W. Newman:** First, I moved for second reading of the bill. The hon. member for York South (Mr. MacDonald) moved a reasoned amendment:

That Bill 96, An Act respecting Farm Income Stabilization, be not now read a second time but be referred back to the government to have incorporated therein principles of a farm income insurance plan which would be open to the producers of all farm products on a voluntary basis with assurance that the government provide a public forum for full discussion with the farm community before reintroduction of the bill.

**Mr. Conway:** Now about the telephone.

**Hon. W. Newman:** Later in the debate, the hon. member for Huron-Middlesex (Mr. Riddell) moved a subamendment as follows:

That Bill 96, An Act respecting Farm Income Stabilization, be not now read a second time but be referred back to the government to have incorporated therein principles of a farm income protection plan which will be open to all producers of all farm products on a voluntary and contributory basis, with the government negotiating with legally constituted farm spokesmen; and with assurance that the government provide a public forum for full discussion with the farm community before reintroduction of the bill; and that the bill be reintroduced no later than October 31, 1976.

**Mr. Nixon:** Good amendment.

**Mr. Breithaupt:** Worked, too.

**Hon. W. Newman:** The subamendment was carried on division and the amendment as amended was carried on division, thus the bill did not move to second reading.

**Mr. S. Smith:** We wrote your education policy and your farm policy; what next?

**Hon. Mr. Davis:** Oh, we're still smarting on that one.

**Mr. S. Smith:** Do you want a few more?

**Mr. Nixon:** When are you going to get the smarts?

Interjections.

**Mr. Speaker:** Order, please. Let's get on with the business of the House.

**Hon. W. Newman:** A committee of cabinet was subsequently formed to deal with the problems of reintroducing legislation by the specified date.

I invited Ontario's farm products marketing boards and commodity groups to present their views to this committee of ministers. Twenty-four groups were represented at the meeting on August 3. More of them supported Bill 96 than opposed it. Several were noncommittal, usually because their producers would not be affected. The views expressed by the remainder could not be fairly summed up in terms of pro and con or black and white; rather they ranged through various shades of grey. At any rate, no consensus emerged from these discussions and subsequent written submissions.



**Mr. Cunningham:** Bill Stewart he is not.

**Hon. W. Newman:** On August 12 the same committee of ministers met with the three general farm organizations: the Ontario Federation of Agriculture, the Christian Farmers' Federation and the Ontario District of the National Farmers' Union.

**An hon. member:** They're not supporting it.

**Hon. W. Newman:** The Ontario Federation of Agriculture favoured a plan covering all commodities and based on insurance principles with provisions for contributions from farmers and the federal and provincial governments. The OFA also called for a clearly defined role for farmer representatives in the development process. The Christian Farmers' Federation found Bill 96 sufficient and adequate. It suggested a few modifications, but supported the plan.

**Mr. Conway:** Just a few?

**Hon. W. Newman:** The National Farmers' Union filed a national policy statement that had been adopted in December, 1975. It dismissed Ottawa's Bill C-50 as irrelevant. It asked for a stabilization plan based on current production costs and a formula indexing all major cost components. The NFU also called for federal-provincial-producer contributions to a fund that would operate in conjunction with quotas, import controls and other facets of supply management.

**Mr. Conway:** This sounds pretty irrelevant.

**Hon. W. Newman:** While we had thus consulted in depth with the legally constituted farm spokesmen, I wanted to give individual farmers additional opportunities to express their views at public forums. Public meetings were arranged and well advertised in 10 centres across the province.

**Mr. Conway:** By telephone.

**Hon. W. Newman:** I was able to answer some of the questions that arose at these meetings on the evening of October 4—

**Mr. Conway:** Not too many.

**Hon. W. Newman:** —by means of a telephone conference-call hooked up to loud—

**Mr. Nixon:** The taxpayers pay—

**Mr. Cassidy:** Must have been a long hook-up too.

**Hon. W. Newman:** In addition my ministry—I'll tell you they were well-attended meet-

ings by and large, and I'm sorry two meetings couldn't hear me very well.

**Mr. Roy:** Bill, I'll tell you something else, you were better on the phone.

Interjections.

**Mr. Speaker:** Order, please. Would the hon. minister continue with his statement.

[2:30]

**Hon. W. Newman:** Certain key points became evident at these public meetings. The majority of farmers wanted greater producer participation and heavy farm representation on the stabilization commission. They wanted a voluntary, contributory form of stabilization to which farmers wishing protection would pay premiums to enrol their commodities; and they wanted the level of support prices to reflect realistically what was happening in the marketplace so that they couldn't have a detrimental effect on the competitive position of Ontario's agricultural products.

**Mr. Bullbrook:** I thought you said we weren't having a Throne Speech this time?

**Mr. Singer:** It is another statement of government policy.

**Hon. W. Newman:** With the aid of all this input from farmers and farm groups, the government was able to evaluate several alternative types of farm income stabilization plans which would comply with the stated wishes of this House. Each was weighed with painstaking care before we chose the plan embodied in the bill that will be tabled in a few minutes.

**Mr. Singer:** The speech writers were on strike—you had to put them to work sometime.

**Hon. W. Newman:** These are what I consider the highlights of the bill:

It will be a voluntary, contributory plan run by a Crown commission of at least five members, predominantly representatives of Ontario's producers.

**Mr. Conway:** Resign.

**Mr. Peterson:** Did you just think of this?

**Mr. Singer:** It was in the paper last week.

**Hon. W. Newman:** All marketed agricultural products in this province will be eligible for coverage.

The commission will establish regulations for enrolling any serious producer as it sets up separate stabilization funds for various

commodities. The government of Ontario will contribute \$2 for every \$1 the producer pays in enrolment premiums.

Prices and costs used in the Ontario formula will be the same as those used in the federal plan, and federal officials have assured us of their full co-operation in supplying any necessary technical data. I have explained why our plan must dovetail with theirs but let me stress once again that the government will continue to press for the type of meaningful, national stabilization programme which all parties in this House want to see.

**Mr. Peterson:** You could have spared us all this.

**Mr. Conway:** Where is Don Morrow?

**Mr. Roy:** I hope we get a copy of that speech.

**Hon. W. Newman:** The provincial plan will provide two forms of protection. When a commodity is named in the federal Act for support at the 90 per cent level, as I discussed earlier, our payments will boost returns to Ontario producers to the 95 per cent level.

**Mr. Cunningham:** Now if you only knew something about farming.

**Hon. W. Newman:** The Ontario stabilization price will be 95 per cent of the average market price over the previous five years adjusted for cash cost increases. The federal Minister of Agriculture, Mr. Whelan, has said that any other commodities which need support on a yearly basis will be designated under the federal Act for the same 90 per cent level of support. In these cases, Ontario payments will also be at 95 per cent. However, if a commodity is not covered either way by the federal Act in a year of low market prices, the Ontario plan will provide a payment equal to the difference between the 95 per cent level and the 90 per cent level.

What agriculture really needs, of course, is uniform support of every Canadian farm product at the 90 per cent level plus a three-way partnership to provide additional protection to the 95 per cent level for any farmer who wants to help fund it. The federal government should be sharing the costs of the voluntary portion on a dollar-for-dollar basis with the province and participating producers. We've been telling Ottawa that for years but we can't wait any longer so we'll put in Ottawa's dollar to get the programme moving.

**Mr. Cassidy:** You weren't going to do that this spring.

**Hon. W. Newman:** As you will see, Mr. Speaker, it is impossible to predict what our plan will cost in any given year. The maximum cost to the government might range from \$60 to \$70 million annually. On the basis of the two-for-one cost-sharing formula, the maximum cost to contributing farmers would be half as much.

**Mr. Bullbrook:** Give them a Wintario grant.

**Hon. W. Newman:** The provincial government introduced a voluntary contributory price support programme for our beef calf producers last year. It will continue to operate separately from the other stabilization funds until all cow-calf contracts expire in 1980. I certainly trust that a proper federal stabilization programme will be fully operational by then.

**Mr. Conway:** Did you talk to Joe Clark?

**Hon. W. Newman:** In the event it is not, the Ontario stabilization commission will decide what arrangements should be made for beef calf operators desiring continuing protection.

We intend to leave other operational decisions of a similar nature in the hands of the producer-oriented commission. As I have said, the majority of Ontario producers have indicated they want a greater voice in the decision-making. The new Act is designed to meet their wishes.

We have complied with the stated wishes of the majority of members. We have produced a voluntary participatory plan that operates through the market price mechanism but takes account of significant changes in the farmer's cash costs.

**Mr. Breaugh:** Anything more than two syllables.

**Mr. Cassidy:** It is a hard word to get out, isn't it?

**Hon. W. Newman:** We have left the farmer free to make his own production decisions and we have avoided the risk of balkanizing Canada's agricultural economy by retaining provisions that are compatible with the existing national stabilization programme while we continue working for a better one.

I am confident that members will agree that we have taken a major step forward in providing the greater degree of income security that Ontario farmers want within our free market, free enterprise system.

**Mr. Lewis:** It is a shocking intrusion into the marketplace—a terrible violation of the free market system.



**Hon. W. Newman:** Mr. Speaker, I believe the government has gone more than half-way and that the bill being introduced today is a tremendous protection for the farming citizens of Ontario.

**Mr. Nixon:** Mr. Speaker, on a point of order. Before we proceed with a lengthy list of statements, is it your intention, sir, to interpret the rules of the House in the way you have apparently already begun to do so by permitting major addresses by the ministers under the heading of ministerial statements? Obviously they are making second reading debate speeches in this connection; instead of indicating policy they are giving us the whole load.

**Hon. Mr. Davis:** It is an important matter.

Interjections.

**Mr. Speaker:** Order, please. I think the hon. member has a point there.

**Hon. W. Newman:** The members opposite didn't understand it before so we thought we had better clear it up for them.

**Mr. Speaker:** I do recall on many occasions there has been a demand for further and complete explanation of whatever the ministerial statement might contain, whether it's an explanation of an up-coming bill or a change in policy or whatever. I would caution the ministry to avoid debate, where possible, and stick to the principle of the bill or the announcement—

**Mr. Breithaupt:** He told us more than we wanted to know.

**Mr. Speaker:** —which the ministry is attempting to make. I would request that in future the statements do not contain argumentative material or a justification for this and that and so on.

**Mr. Cassidy:** That's the point; that's the problem.

**Mr. Bullbrook:** It is supposed to be a concise statement; that's what it is supposed to be.

**Mr. Speaker:** Order, please. I think there was great merit to what the hon. member for Brant-Oxford-Norfolk interjected.

Now, the hon. Minister of Labour.

**Mr. Nixon:** Mr. Speaker, on a further point of order—you have encouraged me to proceed on a second point of order. Since we are now resuming the session and it is expected

we will be here for seven weeks or perhaps longer, is there something you could do with the—

Interjections.

**Mr. Nixon:** —quality or the fidelity of the public address system? I'm not so sure that it is the same on all sides of the House but we found part of that lengthy statement to be almost incomprehensible.

**Mr. Reid:** And the other half was—

**Hon. Mr. Handleman:** You never did understand.

**Mr. Speaker:** I did detect a little bit of background noise occasionally, I must admit.

Interjections.

**Mr. Speaker:** Order, please. To respond to that, however, the necessary corrections to our PA system were not completed during the summer because of the lack of certain parts and material, but I am assured that everything will be 100 per cent before we return here after the Christmas break. In the meantime, I think if we have fewer interjections while someone is talking we could all hear quite well. Thank you very much.

Would the hon. Minister of Labour continue with her statement, please?

#### ROYAL COMMISSION ON MINING SAFETY

**Hon. B. Stephenson:** Mr. Speaker, members will recall that by order in council dated September 10, 1974, the government established a royal commission to investigate all matters related to the health and safety of workers in the mines of Ontario.

The commissioner appointed was Dr. James Ham, former dean of the faculty of engineering at the University of Toronto and now dean of that university's school of graduate studies. I am pleased to report that he is in the Speaker's gallery today.

Dr. Ham's report was released on Aug. 23, 1976, and I am sure that all members of the House will agree that it deals with a difficult and complex subject with unparalleled thoroughness. In its analysis of the problems as well as in the recommendations for change, the report exhibits a sensitive and humane approach to the safety and well-being of persons engaged in an industry which is of vital importance to this province's economy. The commissioner has touched on every major health and safety

aspect of the mining industry, including silicosis and dust hazards; lung cancer and ionizing radiation in uranium mines; toxic chemical agents; industrial noise and its effect upon hearing; the matter of health records; and, of course, important proposals concerning the structure of government programmes and the reordering of reporting responsibilities.

One hundred and seventeen specific recommendations were made to improve the capacity of employers, employees and government to achieve maximum protection for workers in this industry. We are indebted to Dr. Ham for the conscientious way in which he has approached this challenging task and for the wisdom which he has exhibited in fashioning his proposals.

Immediately following the publication of the report, a special committee of cabinet instructed senior officials of the affected ministries to undertake a detailed analysis of the Ham report, recommending implementation of those recommendations which were supported by the extensive and sometimes complex evidence relied upon by the commissioner. As I have mentioned, and as members know, the recommendations fall into two broad categories: first, those proposing administrative or organizational changes; and secondly, those of a substantive, operational character. The latter group involved complex technical and scientific considerations and I will return to those in a moment.

As to the administrative proposals, I am pleased to announce that the government accepts, without reservation, the commissioner's recommendations that there be established immediately a single centralized occupational health and safety division within the Ministry of Labour.

At the appropriate time today, I shall introduce for first reading legislation which, among other things, transfers responsibility for part IX and portions of part XI of The Mining Act, as well as The Silicosis Act, to the Ministry of Labour. Administrative arrangements have already been made to transfer the occupational health protection branch of the Ministry of Health to the Ministry of Labour.

As members know, the Ministry of Labour is now responsible for The Industrial Safety Act and The Construction Safety Act. With the transfer proposed in the new legislation, responsibility for all occupational health and safety legislation will reside within the Ministry of Labour. The division will be headed by a person having the status of an assistant deputy minister, with whom my deputy min-

ister and I will have close and continuing contact. That person appointed will have administrative responsibility for all of the statutes to which I have referred. I shall be announcing the name of the appointee at the earliest possible date.

The substantive proposals of the commissioner's report are now under intensive review by a joint labour-management committee known as the Committee to Revise The Mining Act. Members will recall that this committee was appointed by order in council on March 24, 1976, and that its mandate was to conduct a complete review of part IX and part X of The Mining Act. The committee has been specifically requested to give priority consideration to the recommendations of the Ham report and to provide us with comprehensive proposals for amendment to those portions of The Mining Act dealing with health and safety, at the earliest possible date. I have been assured by the committee's chairman that the review will be expedited and I hope to have its report before the conclusion of this session in order to be able to bring forward appropriate amendments early in the next session of the Legislature.

Depending upon the findings of the committee and upon the advice of the legal officers of the Crown, it is my hope to be able to combine the relevant sections of The Mining Act with The Industrial Safety Act and The Construction Safety Act, to create a comprehensive omnibus Act governing occupational health and safety in mines, in industrial establishments and in construction projects throughout the province. With the centralization of authority in a single ministry and with the enactment of a comprehensive statute, I am confident that we shall have a much greater capacity to deal with matters of health and safety in the work place than has been possible under the existing system.

I should add that the bill which I am introducing today will also deal with several substantive matters which were under active consideration well before the Ham commission reported. This bill permits the formation of labour-management safety committees or the appointment of employee safety representatives where appropriate. It deals with the employee's right to refuse to perform unsafe work where reasonable grounds for refusal exist, and provides for relief against discharge or discrimination for the proper exercise of that right. The bill provides for the posting in the work place of the reports and official directions of safety and health inspectors. It accords to an employee



representative the right to accompany inspectors during the physical inspection of the work place, with the right of full consultation during the tour of inspection. Finally, the bill provides for employee access to annual summaries of work injury statistics.

Because of my responsibility for The Industrial Safety Act and The Construction Safety Act, it was my intention to introduce the aforementioned amendments to those two Acts. However, in the light of the Ham recommendations, I believe that similar benefits should be afforded to Ontario's miners at this time.

All of the substantive proposals to which I have just referred are discussed in the Ham recommendations. Indeed, in some instances, the provisions of the bill are even more specific in providing protection and remedial rights to the employees than the recommendations contained in the report of the commissioner.

[2:45]

I hope members of the House will appreciate that I would have preferred to be in a position to have the entire task completed by the resumption of this session so that a fully developed omnibus bill could have been introduced immediately. That objective, however, has proven to be a practical impossibility. We have had the report for a relatively short period of time and in addition, part IX of The Mining Act is an extremely complex and technical piece of legislation containing 452 sections, most of which deal with detailed matters of a scientific and technical nature. As the omnibus bill is developed, there are other provisions of the Industrial Safety Act and the Construction Safety Act which will require analysis as well.

It was simply not possible to complete this major undertaking for the resumption of this session. However, as I have said, the omnibus legislation will be brought forward as soon as it is humanly possible to do so, and I can say categorically that there is no other legislative initiative to which this government assigns higher priority.

During the debate on the bill I anticipate that members will have questions concerning other aspects of the consolidation of occupational health and safety programmes within the Ministry of Labour. I shall, of course, be happy to deal with any such matters, but I think it must be appreciated that some important administrative decisions will require careful assessment by the new head of the

division of occupational health and safety. For example, there are important questions concerning the relationship of that division to the Institute of Occupational and Environmental Health and Safety to be established. In addition, the respective roles of the Labour Safety Council and the Advisory Council on Occupational Health have yet to be determined. Everyone will acknowledge, I believe, that it is essential that the operating division have the benefit of continued advice through advisory mechanisms of some sort from both labour and management, and our task will be to provide the most efficient mechanism for receiving this advice without unnecessary duplication of either effort or resources.

Finally, I hope it is clear from this statement that the government is firmly committed to the two central themes of the commissioner's report. First, the need for greater openness and greater employee participation in matters of health and safety, and, second, the development of a "responsibility system," to use Dr. Ham's phrase, to provide for a maximum of co-operation between labour and management in identifying, controlling and, where possible, eliminating occupational hazards.

In addition, the government is determined to provide the most effective external monitoring and evaluation system possible. From the conversations which I have had since the publication of the report, I am confident that both industry and labour share a commitment to these goals. This legislation, Mr. Speaker, is the first important step toward the achievement of these shared objectives.

## FAMILY LAW REFORM

**Hon. Mr. McMurtry:** Mr. Speaker, this government has for some time, as you know, been committed to a comprehensive reform of family law. We have recognized that the existing common and statute law has failed to keep pace with the challenge of modern family life.

One of my predecessors requested the Ontario Law Reform Commission to undertake a full review of family law and the commission has produced reports on marriage, lawsuits between family members, matrimonial property, children, family courts and, most recently, support obligations.

My ministry circulated a film and distributed a pamphlet on the commission's recommendations across the province. In addition, we initiated public meetings in order to

have as wide a discussion as possible of the issues in family law reform.

As an initial step, pending preparation of more comprehensive legislation, we introduced The Family Law Reform Act, 1975, which has been in force for over a year now. That Act declared the principle of equal status and capacity in law for spouses of both sexes and abolished many of the legal disabilities of married women. This year we introduced The Succession Law Reform Act as part of our continuing reform of family law. That bill, which has only received first reading, deals with the rights of family members in estate matters.

Now I take great pleasure in announcing to this House that the government will today be introducing a new, wide-ranging family law bill, which will be of fundamental importance to every man, woman and child in the province. This bill, to be entitled The Family Law Reform Act, 1976, sweeps away the ramshackle structures of the law governing matrimonial property and support obligations in a marriage breakdown situation. It creates, in their place, a completely new system of law dealing with the economic relations between husband and wife when their marital ties are about to be dissolved.

The bill contains new rights available to both spouses protecting the security of the family home and abolishes the ancient right of dower. It introduces the concept of marriage contracts to Ontario for the first time.

In short, the bill comprises a code of the economic relations between spouses and between parents and their children, a body of law which may be resorted to for protection if a family dispute develops but which also leaves the family free from interference by the law when its members are living in harmony, as the great majority of families do.

The bill comprises five parts, each dealing with distinct though related subject areas.

Part I deals with the division of family assets between the spouses where a marriage breakdown occurs. Part II concerns the obligation of spouses to support each other and their children and of children to support their parents in accordance with the needs and the capacity of each party.

Part III provides rules for ensuring that the matrimonial home is not dealt with by one spouse so as to deprive the other or the children of a home. Part IV introduces the concept of marriage contracts; and part V effects consequential changes in the common and statute law.

There are several basic themes running through the whole bill. First, the bill recognizes the equality of the sexes. It confers no privileges and imposes no disability on either men or women as a group but rather takes account of the individual situation in each matrimonial dispute.

Second, it emphasizes the duty of individuals to take responsibility for themselves to the best of their capabilities and to aid the other members of their family who cannot fend for themselves.

Third, the legislation gives effect to the principle that family law should be flexible enough to respond to the particular needs of individual families and so permits spouses wide latitude in arranging their own rules for property, support and the raising of children.

Finally, the new provisions attempt to encourage the settlement of all the issues in a family controversy at once, so that multiple court proceedings will be unnecessary and so that any court hearing a property or support dispute will have a true and complete picture of the family situation.

I would like to outline briefly the main features of each part of the bill to illustrate to the members of this House the tremendous importance of its provisions.

Part I, family property, contains a new set of rules for the sharing of property between the spouses if a marriage breakdown occurs. The basic rule is that family assets will be divided equally between the spouses. Family assets comprise property owned by either or both spouses which they or their children ordinarily use for shelter or transportation, or for household, educational, recreational, social or aesthetic purposes. This kind of property, the things that a family use together as a family, would ordinarily be shared equally by the spouses on a marriage breakdown, regardless of who had bought the property and irrespective of which spouse held legal title.

Where the husband or wife could establish in an individual case that an equal division of the family assets was inequitable in all the circumstances, the court would have power to vary the shares of the spouses or even award a share of property that does not fall within the definition of family assets. This would allow recognition of the contributions of one spouse to a business owned by the other.

Again I emphasize that couples will be free to determine whether they wanted these new provisions to apply to them. If they did not,



they would be permitted to draw up a marriage contract setting out their own rules for ownership of property.

Part II deals with support obligations and begins with the declaration that every spouse, husband or wife, has an obligation to provide support for himself or herself and for the other spouse, in accordance with need, to the extent that he or she is capable of so doing. This represents a substantial departure from the existing law, which imposes the obligation of support during marriage solely on husbands.

Part II also reiterates the obligation of parents to support their children, whether born within or outside marriage, and the obligation of children over 18 to support their parents; once again in accordance with the needs of each and their respective capabilities. It is perhaps little known that the existing law imposes an obligation on adult persons to support their needy parents. In this respect, the bill merely codifies the present law.

**Mr. Cunningham:** Is this the first reading?

**Hon. Mr. McMurtry:** This part also creates a limited obligation of one common law spouse to support the other. Where two persons have lived together as if married, their relationship often takes on the same financial characteristics as a marriage. One person frequently becomes dependent on the other, especially if there is a child of the union. If one of these two people is no longer self-sufficient, it seems reasonable to look to the other to assist in restoring him or her to financial independence. Certainly it is more desirable to place a support obligation on common law spouses than to have a large number of persons who are living common law looking to public welfare for support instead.

**Mr. Bullbrook:** Jack Spence doesn't like it at all.

**Hon. Mr. McMurtry:** We believe it is in the community's interest that some legal responsibilities flow from a common law relationship. By imposing a support obligation on common law spouses in the same terms as the obligation on married persons, we will be removing at least some financial advantages of a common law union over a legal marriage. Further, we do not propose to allow common law spouses to enter into contracts to limit their obligations, whereas legally married persons will be able to do so in a marriage contract. These measures should act as an encouragement for common law spouses to regularize their situation by entering in a formal marriage where possible.

**Mr. Conway:** Have you even thought about the clergy?

**Hon. Mr. McMurtry:** We propose to allow a common law spouse to claim support only after at least two years' cohabitation, or if the couple live together in a relationship of some permanence and they have a child. We do not propose to give common law spouses rights to share in family property or have any control over dealings with the family home.

The third part of the bill deals with the matrimonial home. This part provides security for the members of the family by requiring that both spouses join in any sale or mortgage of the matrimonial home. The family's right to shelter is therefore protected against the unilateral act of either husband or wife. Provision is also made for either spouse to obtain an order for exclusive possession of the home and its contents, where financial support alone would be inadequate.

Part IV permits spouses to enter into comprehensive marriage contracts covering their respective rights to property, support, custody and education of children and any other matters arising during their marriage or on an eventual marriage breakdown. A marriage contract could prevail over any of the provisions of the Act except where it limited a spouse's rights in the matrimonial home, reduced a spouse to dependence on welfare or included provisions contrary to the best interests of the children of the marriage.

The last part of the bill contains many amendments to statute law and abrogations of the common law consequential upon the previous four parts. The Family Law Reform Act of 1975 is incorporated as part of this Act. Part V abolishes the last vestiges of the inferior status in law of the married woman and completes the work begun in this area in The Family Reform Act, 1975.

This bill is obviously a major piece of legislation of fundamental concern to everyone. As a result, my ministry has prepared a pamphlet and an information booklet explaining the bill, and these documents will be distributed free, and as widely as possible across Ontario.

[3:00]

**Mr. Roy:** Have you got your name on it?

**Hon. Mr. McMurtry:** Members of the public will be invited to write my ministry for copies and to submit their comments on the bill.

**Mr. Nixon:** Just write to Roy.

**Hon. Mr. McMurtry:** I want to make it clear that—

**An hon. member:** Darcy is sending one out too.

**Hon. Mr. McMurtry:** I want to make it clear that this bill does represent government policy—

**Hon. Mr. Davis:** I could be unkind and ask who over there is smarting?

**Mr. Nixon:** Is it regional government for Chatham-Kent?

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. Mr. McMurtry:** This bill does represent government policy, although in a bill which sweeps away centuries of legal tradition and provides entirely new measures in their place there may, of course, be a need for some adjustments. I am confident, however, that the basic principles of The Family Law Reform Act, 1976, represent a positive response to the needs of the people of Ontario.

While the family law reform bill is in itself very significant legislation, Mr. Speaker, it is only one of two important bills I will be introducing today, and only one of four major family law measures which the government plans to bring forward this session.

The second bill which I will be introducing for first reading today is a new Marriage Act. This bill does not contain the same kind of sweeping changes as The Family Law Reform Act—

**Mr. Conway:** Was that written by John Smith?

**Hon. Mr. McMurtry:** —but it does give effect to many of the recommendations of the Ontario Law Reform Commission report on marriage.

**Mr. Breithaupt:** You found a new way?

**Hon. Mr. McMurtry:** One of the main features of the marriage bill is the authorization of justices of the peace and other prescribed classes of persons to solemnize marriages, so that it will now be easier for couples to have a non-religious marriage ceremony if they so desire.

**Mr. Bullbrook:** Keep this up you will be doing away with the opening prayer.

**Hon. Mr. McMurtry:** The third major piece of legislation, Mr. Speaker, on the govern-

ment's family law programme is Bill 85, The Succession Law Reform Act, which has now received first reading. That bill substantially reforms the rules of inheritance of property and the right of dependants to claim support from an estate. It incorporates many of the recommendations of the Ontario Law Reform Commission reports on children, support obligations and family property.

The Succession Law Reform Act contains provisions equalizing the treatment in estates matters of all children, whether born within or outside marriage, and equalizing the position of men and women in their inheritance rights and rights to support from the estate of a deceased spouse. The bill effects a general modernization of the law of estates to bring it more in tune with the values and expectations of today's society.

We have received a number of comments and suggestions from lawyers and other members of the public in relation to Bill 85, and it is the government's intention to incorporate some of the suggestions in the bill and to proceed to enactment.

The government has also been considering reforms in the procedures by which family law disputes are resolved in the courts. It is well recognized that existing court structures do not serve as well as they might in family law cases. Often spouses must start proceedings in different courts and go through two or more trials before all the issues in their dispute are finally laid to rest.

**Mr. Roy:** You are starting to listen a little bit.

**Hon. Mr. McMurtry:** The courts are geared to an adversary process and this approach tends to add bitterness to a difficult situation.

The family division of the provincial court, commonly known as the family court, has access to support services which can help families settle their difficulties without resorting to a trial. However, that court has no jurisdiction over many kinds of family law cases, such as divorce and property disputes. On the other hand, the Supreme and county courts, which have the necessary jurisdiction, simply do not have the support services.

We believe we have found a means to provide a family court that has the jurisdiction needed to deal with any kind of family law case and the necessary range of support services to assist spouses to come to a negotiated settlement of their problems wherever possible. I have reached an understanding with the federal Minister of Justice on the creation of a unified family court for a three-



year developmental project in Hamilton. The court is called the unified family court because it unifies the exercise of family law jurisdiction in one court, instead of the four different courts that have jurisdiction now.

The court at Hamilton would make extensive use of conciliation and pre-trial procedures within the court and social service resources in the community to assist the parties in resolving their problems short of taking the case before a judge.

We are currently resolving the details of an agreement with the federal government, which is necessary under our constitution to give the court the necessary jurisdiction. We expect these matters to be finalized in the next several weeks, and we will then bring forward legislation to create the unified family court at Hamilton. If the three-year Hamilton project proves a success, as I believe it will, we hope to be able to extend the unified family court across Ontario.

I have spoken of four family law bills which the government plans for this session, but there still remains one extremely important area which I have not yet directly addressed, the law relating to children.

In our new family law reform bill, we propose to give all children the same rights to support from their parents, whether or not the child's parents are married. Bill 85, on the law of succession, contains the same kind of provisions in relation to children's rights of inheritance.

In addition, I am developing a proposal to abolish once and for all the status of illegitimacy for all purposes of Ontario law. I am also considering proposals for legal means of ascertaining the parentage of children born outside marriage; a procedure to appoint a guardian for one's children by will; independent legal representation for children in family disputes; and guidelines for a court in making decisions on custody in accordance with the best interests of the child. I will be discussing those areas with my colleagues in the cabinet with a view to producing further legislation on these subjects.

I have gone into some detail in this statement because I want the members of this House and the public at large to be fully aware of the scope and importance of the government's legislative plans in the area of family law. These measures abolish the last remnants of the married woman's inferior status and guarantee to both spouses a fair share of matrimonial property if their marriage breaks down. They provide for new support remedies which will recognize the

obligation of both husband and wife to become self-sufficient if they can, and the right of either husband or wife to claim support from the other when in need. The security of the matrimonial home is protected by new measures for controls over dealings with it and for orders for exclusive possession of it.

This legislation is the culmination of years of work by successive Attorneys General, the Law Reform Commission and officials within my ministry. We believe that it is a comprehensive legislative recognition of the need for change in our law and that it responds to the wishes of the people of this province.

**Mr. Speaker:** The hon. Solicitor General.

**Mr. Cassidy:** How long is it?

### CITIZEN COMPLAINTS AGAINST POLICE

**Hon. Mr. MacBeth:** Mr. Speaker, I wish to comment briefly on my ministry's plan for a new system for dealing with citizens' complaints against police. Out of courtesy to those opposite and so they may know that I mean briefly, if they wish to keep track of my progress as I turn the pages, I have two pages.

We propose that a civilian authority be created to oversee the handling of these complaints and the consequential disciplining of police officers. It has been said, quite rightly, that the police should not be the final arbiters in their own cause. Complaints and discipline would be the special focus and special responsibility of this new authority. It would be independent of the police and would report to the Solicitor General. It would monitor the handling of less serious complaints by police and would be directly involved in the investigation and adjudication of the more serious complaints. This authority would be a final court of appeal both for citizens who feel aggrieved and for police officers whose employment or employment status might be affected. This independent authority would have sufficient power and resources to ensure that justice is done to all parties.

We have extensively reviewed recent studies and reports on the subject and I might mention in particular those of Mr. Arthur Maloney, QC, His Honour Judge René Marin and the Hon. Mr. Justice Morand. The underlying philosophies contained in these reports are perhaps more striking in their similarities than they are in their differences. I might say that our proposed scheme draws extensively from these reports.

I feel that the system should apply to all municipal police forces and the Ontario Provincial Police, and I am therefore unable to adopt any one scheme in its totality. Furthermore, we want to establish a system which includes the best features of existing and proposed systems. The system will be flexible and capable of expansion as the need arises. Every attempt will be made to avoid unnecessary expense and the creation of unnecessary bureaucracies. At the same time I am determined that the system be made to work and will do everything in my power to see that it is equipped for this objective.

At the present time, I have just completed the first round of discussions with police associations, police governing bodies and other interested groups. I might add that these groups are giving us full co-operation and many useful suggestions. The points of view are many and varied and sometimes conflicting.

I do appreciate the need for action. In the words of one writer, we must venture into this field in a highly visible way and then let the experience, in action, decide whether the structure created is doing the job it was intended to do. The government's approach has now been finalized and a second round of discussions centring on these proposals has now commenced. This consultation completed, we will be in a position to introduce the legislation before the end of this session.

### WINE CONTENT

**Hon. Mr. Handleman:** Mr. Speaker, this afternoon I will be introducing The Wine Content Act, 1976, the purpose of which is to help the Ontario wine industry gain a greater share of Canadian and foreign wine markets.

This legislation marks a major change in our policy in that it will permit the limited use of foreign wine-making materials in Ontario wines. Grape growers and wineries have jointly accepted this change.

In recent years, the public taste has turned toward dry table wines rather than fortified dessert wines. This development in the market has demanded great adjustments from our wine industry. Grape growers have responded with new plantings of the varietal grapes capable of meeting the public demand.

**Mr. Cunningham:** You guys buy it at election time.

**Hon. Mr. Handleman:** The government's loan support for this programme has been

welcomed by the growers. This transition is proving successful and the quality of Ontario wines has improved dramatically.

**Mr. Nixon:** As long as the federal government buys the surplus and you let the concentrate be imported.

**Hon. Mr. Handleman:** Nonetheless, it is apparent that some importing of grapes and blending wines, not concentrates, may be necessary to sustain the transition and enable the industry to continue to meet public expectations.

As members are aware, the health of the Ontario wine industry is essential to the preservation of the unique tender fruit land of Niagara. If we are able to maintain healthy sales of wine, we can keep—

**An hon. member:** How many seats?

**Mr. Warner:** Talk to the Minister of Housing (Mr. Rhodes).

**Hon. Mr. Handleman:** —thousands of acres of valuable land in the Niagara Peninsula from conversion to non-agricultural use. About 54 per cent of the cultivated land in the peninsula is in grapes and 70 per cent of the crop goes into wine.

**Mr. Nixon:** Have you decided to stop that conversion of land?

**Hon. Mr. Handleman:** Expanding the markets for domestic wines is therefore one of the most practical and inexpensive ways to preserve this land for future generations.

It is obviously necessary to maintain a careful balance between the use of imported materials to help wine sales and the market for Ontario grapes. To that end, the regulations will provide two important safeguards. First, the amount of imported materials will be limited to a fixed percentage of the total materials used. Secondly, the yield of wine per ton of grapes will be reduced so that more Ontario grapes must be purchased for every gallon of wine produced. The entire blending procedure covered by this legislation will be subject to review in five years time.

Probably the most meaningful future protection is the development of a set of wine standards to improve sales. The government will be working with the wineries and growers to establish these standards, hopefully for introduction in 1977.

I would also like to take this opportunity to announce another initiative taken by the government recently to assist Ontario's grape



growers and wineries. In the past two years, French producers have taken steps to enforce the terms of a 40-year-old treaty which subjects Canadian business to foreign laws. The treaty in question threatens the right of our wineries to use names like champagne, despite the fact—

**Mr. Conway:** Take it easy on the French.

**Hon. Mr. Handleman:** —that all labels clearly show the Canadian origin of the beverage.

Last week, I sent a telegram to the Hon. Jean Chretien urging him to consider abrogating this treaty.

**Mr. Nixon:** Did you thank the federal government for buying all the grapes?

**Mr. Conway:** Easy does it.

**Mr. Speaker:** Order, please..

**Hon. Mr. Handleman:** No other wine-making jurisdiction has had to accept such an insulting loss of sovereignty.

**Mr. Nixon:** You only buy the grapes in an election year.

**Hon. W. Newman:** Nonsense. We bought grapes this year. You don't know anything about the Niagara Peninsula.

**Mr. Nixon:** They were the ones who wanted to stop the importing. You are the one who is criticizing the government of Canada for not importing the grapes

**Mr. Speaker:** Order, please. The hon. minister has the floor only.

**Hon. Mr. Handleman:** Mr. Speaker, I understand that trade talks between Canada and France are expected next month. We urged the government of Canada to place this treaty on the agenda and to insist that it be changed or rescinded to reflect modern usage..

I have a second statement, Mr. Speaker, while I am on my feet.

## CORPORATIONS INFORMATION ACT

**Hon. Mr. Handleman:** Later today I will be introducing for first reading a revised Corporations Information Act and complementary amendments to The Business Corporations Act and The Corporations Act. In this legislation we have attempted to ease the burden of both large and small corporations by eliminating the annual filing and the payment of a filing fee.

[3:15]

We are also taking steps to make it easier for consumers and small businessmen to take legal action against corporations they do business with. Instead of the annual return now required from each corporation carrying on business in Ontario, the new Act requires filing only when a change occurs in the information kept on file. The amendments provide for cancellation and dissolution for non-payment of taxes rather than for failure to file annual returns.

In the case of a non-share corporation, the amendments provide for cancellation and dissolution for failure to file a notice on demand. This demand will be made every three years with a view to removing inactive corporations from the records.

The cost of enforcing the existing legislation has been climbing steadily. Under the new amendments, even when the \$10 filing fee is dropped, the net administrative cost will be lower. However, up-to-date information on corporations will continue to be available in one central location.

I think everyone in this Legislature agrees that small businessmen have been deluged in recent years with too much government paperwork. While the federal government has talked about doing something to help, we are taking this practical action to help to improve the situation.

**Mr. Samis:** That's what an election can do.

**Mr. Roy:** You should have saved all this for a spring election.

**Hon. Mr. Handleman:** With certain exceptions, every corporation carrying on business in Ontario will be required to file an initial notice setting out basically the information which is now required under the existing legislation. Returns now on file will be treated as the initial notice required by the amendments provided they are up to date.

By reciprocal arrangement, corporations chartered federally or in Quebec do not require a licence to carry on business in Ontario. These corporations will be required to file an initial notice setting out only information as to name, date, manner and jurisdiction of incorporation. Notices of change will still be required. Names and addresses of officers and directors of Canadian and Quebec corporations are available to creditors and others in the files maintained by the Canada corporations branch at Ottawa or by the Quebec companies branch in Quebec City.

The amendments will also require an extra-provincial corporation to file an initial notice

as well as notices of change containing the name and address of its attorney in Ontario, the name and office address of its chief officer or manager in Ontario, and the location of its principal office in this province.

Under the existing legislation, a corporation is prohibited from carrying on business or identifying itself by other than the registered name or style. This rule will be strengthened in the new legislation by further disclosure requirements. A corporation will henceforth use its corporate name in all contracts, invoices, negotiable instruments and orders for goods or services. To permit corporations time to use existing stocks of stationery this provision will not come into force until July 1, 1977.

In the process of developing this legislation we received very valuable advice from representatives of the commercial, consumer and corporate law section of the Ontario branch of the Canadian Bar Association and I would like to acknowledge that contribution with thanks. These amendments will provide better service to the public at consistently less cost both to the taxpayer and to Ontario's small businessman.

**Mr. Speaker:** Just before we call for the next statement perhaps we might have the TV lights turned down; the cameras seem to have gone their way. Secondly, there's a great—

**Mr. Nixon:** Arthur, you are not going to be on TV tonight.

**Mr. Speaker:** Order, please. There is a great difficulty in hearing everything that's said and that's part of our cause right there. The difficulty is mainly because of the interjections, most of which are totally irrelevant. Also, please, will those people who are carrying on private conversations please keep them at as low a level as possible.

**Mr. Roy:** Can we have a coffee break?

**Mr. Deans:** On a point of order, if I may. I wonder if it might be possible to turn the volume on the microphones down, and whether that would interfere with the transcribing of it in the transcription room. If the tape still works from the lower volume we could probably hear people much more readily in their normal speaking voice.

**Mr. Speaker:** It is worth a try, but it seems to me the background noise appears to be the main difficulty; it echoes.

**Mr. Singer:** Did they throw out the old system? Could we not bring that one back?

**Mr. Speaker:** The hon. Minister of Revenue.

**Mr. Roy:** Art, just file it.

#### HOME BUYER GRANT AUDIT

**Hon. Mr. Meen:** Back in July I issued a statement to the press concerning the audit of Ontario home buyer grant applications. I said at that time that audit statistics would be released at the completion of the programme, scheduled for the end of this year. In light of recent articles in the press, I think it would now be useful to provide an interim report on the progress to date of the home buyer grant audit.

**Mr. Cassidy:** It sure would.

**Mr. Speaker:** Order, please.

**Hon. Mr. Meen:** As members will recall the home buyer grant programme was one of a number of measures introduced in the provincial budget in April, 1975, to counteract weakness in the Ontario economy.

**Mr. Ruston:** During an election year.

**Mr. Nixon:** To buy votes.

**Mr. S. Smith:** It is called a pre-restraint programme.

**Hon. Mr. Meen:** It was a short-term measure intended to have immediate economic impact and, therefore, our primary objective was to establish the administrative machinery to ensure payments of the grants as quickly as possible with minimum red tape. To verify by external audit or field audit every aspect of every grant application prior to payments being made would clearly have nullified the economic impact of the programme and caused unnecessary delays and hardship to the great majority of people who were properly qualified.

**Mr. S. Smith:** Delayed it past election day.

**Mr. Nixon:** Right. You wanted to get the cheques out before election day.

**Hon. Mr. Meen:** Further, statistics prove that in any kind of programme, whether it is a tax collection programme or an income redistribution programme—

**Mr. Sargent:** It was a bribery programme.

**Hon. Mr. Meen:** —the vast majority of applications—and I emphasize this Mr. Speaker—the vast majority of applications for assistance and tax returns are basically correct.



Programmes are therefore designed to provide the least amount of inconvenience to the persons submitting that majority of applications and reliance is placed on auditing techniques to deal with the exceptions rather than subject every grant application and tax return to the same degree of detailed scrutiny.

To deal with the home buyers' grant programme, a three-step plan was used which, in the first instance, was based on a self-assessment approach common to many government programmes. The first step involved scrutiny of submitted declarations and documents. Grants were paid primarily on the basis of people's declarations that they met the necessary conditions cited on the application forms, supported by certain documentary evidence.

The second step was the request for additional documentation or information in cases where our initial scrutiny indicated insufficient information had been supplied to determine the eligibility of the application.

In the course of the first two steps, approximately six per cent of all applications were rejected.

The third step was an audit based on a predetermined selection of files where it was judged that the highest number of ineligible applicants would be found.

This post-audit of grant applications began in earnest in April of this year with 46 auditors seconded from corporation tax and retail sales tax branches of my ministry. To October 22 of this year 9,453 files had been audited and of these, 1,016 grants, that is 10.7 per cent of those audited were disallowed.

**Mr. Sargent:** That was a great make-work programme wasn't it—46 auditors?

**Hon. Mr. Meen:** This percentage is higher than it would have been had our audit been based on a random sampling of all applicants.

**Mr. Sargent:** You should be ashamed of yourself.

**Hon. Mr. Meen:** Since, as described earlier, it is not necessary to audit all 87,000 approved applications, and since by the end of this year the auditors seconded to this programme will have to return to their normal duties, the audit was concentrated on areas where we anticipated the highest number of ineligible applications and hence the highest rate of return, with particular emphasis on higher-priced homes. In that portion of the audit sample selected randomly, disqualifications were considerably lower than in other areas of specialized selection on which audit activity has been concentrated.

**Mr. S. Smith:** What was the rate?

**Hon. Mr. Meen:** The greatest single reason for post-audit disallowance of grants has been the applicant's previous ownership of a principal residence. In fact, 72 per cent of disallowances fall into this category. Other significant categories include housing units found to be tri-plexes, four-plexes, and housing units not occupied as the applicant's principal residence. These categories account for 12 and nine per cent respectively of post-audit disallowances.

As to the procedures used in our audits, the report in last Wednesday's *Globe and Mail* indicated that investigators are appearing unannounced at doorsteps across the province. I would simply like to point out that it is impossible to estimate the length of interview which may be required with any particular applicant and, therefore, it is difficult to schedule a series of such interviews ahead of time.

**Mr. Sargent:** Can you tell us the cost?

**Hon. Mr. Meen:** Were we to attempt to make advance appointments in all cases, the audit would be slowed considerably.

As I indicated earlier, the audit of the initial \$1,000 payments of the home buyer grants will continue until the end of this year—

**Mr. Sargent:** An \$87 million bribe.

**Mr. Cunningham:** Do they pay interest?

**Hon. Mr. Meen:** —and I will be releasing complete statistics at the conclusion of the audit. Mr. Speaker, while I'm on my feet, I have another short statement.

#### ASSESSMENT, GIFT TAX AMENDMENTS

**Hon. Mr. Meen:** Later this afternoon I shall be introducing The Assessment Amendment Act and shall propose amendments to The Ontario Gift Tax Act, 1972.

**Mr. Conway:** What about Willis Blair?

**Mr. Deputy Speaker:** Order, please.

**Hon. Mr. Meen:** As you are aware, Mr. Speaker, in the 1976 Ontario budget the Treasurer (Mr. McKeough) introduced 15 proposals to reform the property tax system of this province. Subsequently, the Property Tax Reform Commission, under the chairmanship of Mr. Willis Blair, was established to review these proposals and encourage public response concerning their implementation. The changes proposed in The Assess-

ment Act, 1976, will delay for one year, until 1977, the return of assessments at full market value throughout Ontario.

Interjections.

**Mr. Sargent:** The election ploy.

**Hon. Mr. Meen:** This delay will preserve current levels of assessment and existing procedures under The Assessment Act for the year 1977.

**Mr. Cassidy:** This is the fifth time in a row.

**Mr. Nixon:** That is the third withdrawal.

**Hon. Mr. Meen:** This, of course, is the deferral in the assessment process which I've been talking about for months and all of the rest of you have known about it for months as well. This delay—

**Mr. Conway:** I bet Eddie Goodman had a few things to say.

**Hon. Mr. Meen:** —will allow time for response to the report of the Blair commission expected later this year and for the preparation of legislation by my ministry based on the commission's report and the public response to it. In addition, Mr. Speaker, I shall introduce The Gift Tax Amendment Act, 1976, No. 2, in which I shall propose a number of changes to The Gift Tax Act. In general, these are housekeeping amendments with little revenue implications for the province.

Three changes I shall propose in this amending bill arise out of the provisions of the proposed Succession Law Reform Act, 1976, introduced by the Attorney General on May 11, 1976, as Bill 85. That Act was not concerned with taxation but with a more generous and equitable treatment of illegitimate children, common-law spouses, and various types of defendants and survivors. With some necessary modifications the relevant provisions of that Act are to be incorporated into The Gift Tax Act.

An additional change I shall propose will extend tax-free benefits gifted to a spouse to include the establishment of an inter vivos trust for his or her benefit. Through this amendment we hope to incorporate a change which was first put forward to my staff by a joint committee of the Canadian Bar Association and the Institute of Chartered Accountants of Ontario. Under the current Act, a gift to a spousal trust is subject to tax. This proposed amendment will permit us to extend the current interspousal exemption to include a gift to a spousal trust. In order to

qualify for this exemption, all of the income must belong to the spouse of the donor and anyone else benefitting from the trust must be alive at the time the gift is made to the trust for the spouse's benefits to be exempt.

The third major proposal in the package of amendments to The Gift Tax Act concerns the collection of tax where the donor, who is primarily liable for the gift tax, does not pay and the liability then falls to the recipient of the gift. This proposed law would allow my ministry to file a lien upon property located in Toronto and owned by the non-resident recipient of such gift.

I believe the proposed amendments I've described today combine to demonstrate this government's commitment to maintaining an effective and thoroughly useful dialogue with interested parties and, importantly, the people of Ontario, as we continue to implement property and other tax reforms.

**Mr. Deputy Speaker:** The Minister of Natural Resources.

**Mr. Cassidy:** The minister has been hiding, eh?

#### REED PAPER

**Hon. Mr. Bernier:** Mr. Speaker, I shall be tabling later on this afternoon a memorandum of understanding signed today by myself of behalf of the government and on behalf of Reed Paper Limited, by Mr. R. W. Billingsley, president and chief executive officer and Mr. K. D. Greaves, group vice-president, forestry and wood products.

This understanding sets out a series of steps to be taken, both by the company and by the government, to investigate the desirability of proceeding with a proposed development of a new integrated forest industry complex in northwestern Ontario.

The understanding also guarantees full public disclosure of all data-gathering procedures and public hearings before any decision is taken by the government concerning the feasibility or the desirability of proceeding with any forest harvesting plan for the area under study.

This understanding established the framework within which studies will be undertaken of the forest resources of an area to the north and the east of Red Lake. In addition, it provides for a hearing by the Environmental Assessment Board and for public participation in northwestern Ontario. Today's signing of this understanding follows, by 2½ years, a proposal made by the company to the government.



[3:30]

In that proposal, Reed Paper Limited indicated that it was prepared to consider the feasibility of developing an integrated forest complex in the Ear Falls-Red Lake area. This proposal, in turn, resulted from a request I made to all pulp and paper companies in Ontario to provide the government with their long range development programmes to achieve a fuller and more effective utilization of provincial forest resources.

Members will recall that in 1971 the government accepted the recommendations of the Design for Development Phase II report to be a policy objective for the social and the economic development of the northwest region of this province. This report made a number of recommendations on the role of the pulp and paper industry in this vast region. It recommended that some 4,000 to 5,000 new jobs be created by this industry by 1990. It also recommended better utilization of the forest resources by the harvesting of over-mature trees and all forest species to achieve a more balanced forest management programme.

It recommended that a study be made of the feasibility of establishing at least one new pulp and paper mill in northwestern Ontario, with priority being given to the areas of the northwest region where the forestry resource was under-utilized.

It recommended that particular attention should be given to the possibility of establishing an integrated forest products complex in what the report termed strategic B communities, such as those in the Red Lake area.

It is recommended that both the government and industry jointly develop special training programmes for the people living in remote areas to increase their opportunities for steady employment, both in the mechanized woods operations and in the mills.

Following the government's acceptance of these recommendations, I asked each pulp and paper company to present the government with their proposals on how their operations might be expanded to reach these goals.

To date, two companies have embarked upon major expansion programmes totalling \$358 million, and projecting almost 1,700 new jobs. The proposal from Reed Paper Limited projects an investment of \$400 million and the creation of up to 1,200 new jobs. This proposal was announced in this Legislature by the Premier in March of 1974. Since then, the company has been engaged in its

own technical study of a possible kraft mill in the Red Lake-Ear Falls area.

It is now appropriate to undertake an investigation into the forest resource of this part of northwestern Ontario lying north of the 51st parallel.

While other jurisdictions in Canada and many other countries have successfully carried on forest harvesting operations considerably north of this parallel, Ontario has not conducted an intensive forest inventory of this region or studied its possible economic values to the province. The time has now come to do this.

Together with my ministry's emphasis on improved forest management and greater species utilization, there is also an obligation on my ministry to expand and improve its forest regeneration programmes. A further statement of our plans in this regard will be made when studies now under way have been completed and our requirements are more fully understood and assessed.

This understanding provides for the carrying out of a complete forest inventory of the area under study. The study should be completed within 18 months. It will be undertaken by the government and our costs are to be reimbursed by the company. In addition, the company will reimburse the government for its costs, related to the operating studies for that portion required for the company's forest operating plan, if and when the company and the government agree that they should proceed.

The company will submit to the government and will be required to make available to the public, within 60 days from the signing of this understanding, its environmental impact and site selection study for a possible mill in the Ear Falls-Red Lake area.

The company agrees to provide the government with its proposals for a comprehensive forest management plan, and an operating plan 12 months after the completion of the forest inventory. These reports will be made available to the public.

These studies and plans will be designed to: 1. Develop plans designed to optimize the utilization of the forest; 2. Raise the growth potential of the forest; 3. Improve the standard of forest protection; 4. Conform with the government's plans for the economic development of northwestern Ontario; 5. Maintain or enhance the area's fish and wildlife resources and its recreational potential; 6. Improve the employment opportunities for all local inhabitants placing particular emphasis on meeting the economic and social aspirations of the native people in that region.

The company has agreed to participate in a hearing of the Environmental Assessment Board of the Ministry of the Environment to determine, in a public manner, that a new pulp mill would be environmentally acceptable. The company will not be allowed to proceed to construct the integrated wood-using manufactories at any location until the Ministry of the Environment gives the necessary approvals.

Should the company and the government agree that the development of the complex is in the public interest and its social benefits are commensurate with its economic benefits to the public of this province, the company has agreed to provide the government with an irrevocable and valid letter of credit in the amount of \$500,000 as a guarantee that the company will fulfil its various obligations.

**Mr. Lewis:** You said that in March, 1974. You still haven't got the money.

**Hon. Mr. Bernier:** This memorandum of understanding provides a comprehensive framework—

**Hon. Mr. Davis:** Really, I am surprised.

**Mr. Sargent:** It's a steal.

**Hon. Mr. Bernier:** —to ensure that an exhaustive investigation of the forest resources of this area is undertaken and that any possible harvesting operation will conform—

**Mr. Lewis:** We understand what's going on.

**Hon. Mr. Davis:** No.

**Hon. Mr. Bernier:** —to the strictest possible environmental safeguards known to us.

**Mr. Lewis:** You are giving them the agreement to bankroll them.

**Hon. Mr. Davis:** No, nonsense.

**Hon. Mr. Bernier:** It is also the first time that a private company in this province has been asked and has agreed to participate in an Environmental Assessment Board hearing.

**Mr. Conway:** Anything on the Metro Zoo?

**Hon. Mr. Davis:** We thought it would be very appropriate for you to raise it.

**Mr. Conway:** You really are a zoo gang.

**Hon. Mr. Rhodes:** Show us the long right arm hanging from the limb.

**Mr. Conway:** Turn your coat around.

**Mr. Deputy Speaker:** Order, please.

**Hon. Mr. Rhodes:** Withdraw your tail and sit down.

**Mr. Deputy Speaker:** Will the hon. members for Renfrew North and Sault Ste. Marie conduct their private conversations outside the chamber?

Oral questions.

## REED PAPER

**Mr. Lewis:** A question of the Minister of Natural Resources: Is he prepared to table in the Legislature this week all the documents which he received over the last several months, which were never shared with the public, relating to the Reed Paper expansion—the documents on the environmental studies, the documents dealing with native peoples' rights, the documents dealing with statistical analysis of the economic implications? Is the government prepared to table those documents or must we wait until they are doctored by Reed?

**Hon. Mr. Bernier:** Mr. Speaker, I don't know what the member is referring to because we have not, in the Ministry of Natural Resources, in my office, received any official impact studies or reports to which he is referring.

**Mr. Lewis:** May I ask the Minister of the Environment? Will the Minister of the Environment table in the Legislature—

**Mr. Nixon:** Mr. Speaker, on a point of order—

**Mr. Lewis:** I'm sorry.

**Mr. Nixon:** I have a supplementary on the question that was put forward. With reference to the minister's statement on documents pertaining to the negotiations with Reed, did the minister indicate that there would be no public hearings held out of northwestern Ontario in this connection?

**Hon. Mr. Bernier:** Mr. Speaker, I said that the Environmental Assessment Board hearings would be held in Red Lake, Ear Falls and Dryden; that is in northwestern Ontario.

**Mr. Nixon:** A supplementary: Does that preclude hearings in Toronto or other jurisdictions across the province, pertaining to these resources which are held in trust by all the citizens?

**Hon. Mr. Bernier:** Mr. Speaker, that would be a decision of the Environmental Assessment Board.



**Mr. Nixon:** The minister has no objection?

**Hon. Mr. Bernier:** No.

**Mr. Reid:** A supplementary: Do I understand the Premier's statement of March, 1974, correctly, that if Reed did not begin construction by December, 1976, it would forfeit the \$500,000 bond it posted?

**Hon. Mr. Bernier:** Mr. Speaker, if one reads the statement correctly, there was an agreement to be reached. That agreement was never reached and the bond was never posted. Until this memorandum of understanding and all the various sequences of events had been clearly outlined—

**Mr. Reid:** The bond was never posted?

**Hon. Mr. Bernier:** No, it was not.

**Hon. Mr. Davis:** There's been no agreement.

**Hon. Mr. Bernier:** There's been no agreement to post a bond.

**Hon. Mr. Davis:** That's what you people don't understand.

**Mr. Lewis:** No.

**Hon. Mr. Bernier:** We've got the structure in place now whereby the timetable is set and if all the various steps are taken and the timetable is reached, the deposit will be made to the government.

**Mr. Foulds:** In view of the fact that in the minister's statement he tied the agreement so closely to Design for Development for northwestern Ontario, does he not think it appropriate that at least a hearing be held in every town of major size in northwestern Ontario, from Manitowadge to the Manitoba border?

**Hon. Mr. Bernier:** Mr. Speaker, as I said to the member for Brant, that would be a decision of the Environmental Assessment Board. Certainly I have no objections to them holding public meetings in any part of this province where there is an interest and is a concern.

**Mr. Lewis:** A question to the Minister of the Environment: Is the minister prepared to table in the Legislature this week all of the documents relating to the Reed Paper proposal which came to his ministry and "other involved ministries"—I would have thought Natural Resources, perhaps not—revealed in the various memoranda which have come to light, among staff members of his ministry,

involving the environmental assessment, the native peoples' assessment, the statistical data, the economic implications? Why cannot that now be made public as part of this discussion?

**Hon. Mr. Kerr:** Mr. Speaker, as a result of the environmental assessment conducted by the company, that report was turned over to my ministry for assessment by my ministry officials for a period of time, and during that period there were some inter-office memoranda exchanged and also discussions with officials of the company, people involved in the assessment for the company, and other ministries.

I haven't had a chance to look at any of those papers or any of the memoranda, nor have I had an opportunity to discuss them with any officials of my ministry.

**Mr. Lewis:** It's only 16 million acres; no reason why you should be concerned.

**Hon. Mr. Kerr:** I realize that. But these are all very preliminary assessments as a result of receiving assessments from the company's agents, the people who did the assessments for them. That assessment wasn't complete, as the hon. member probably knows, and that is one of the reasons—

**Mr. Lewis:** No, I don't.

**Hon. Mr. Kerr:** —why the company asked for it back. The assessment wasn't complete in their opinion.

**Mr. Reid:** Why did they give them to you in the first place?

**Mr. Lewis:** Where are the documents?

**Hon. Mr. Kerr:** As far as the environmental assessment is concerned, it is with the company. That document is with the company, not with my ministry.

**Mr. Foulds:** You didn't make a copy when you had it?

**Mr. Speaker:** Order, please. Allow the minister an opportunity to answer the question that was asked and asked legitimately.

**Hon. Mr. Kerr:** As the hon. member knows, some of these memoranda were, as reported in the press recently in articles, exchanged between officials within a department of my ministry. I would like to be able to look at that file to see just what is appropriate to be tabled in this Legislature.

**Mr. Lewis:** Appropriate?

**Hon. Mr. Kerr:** Yes.

**Mr. Lewis:** I want to pursue this. Why is it not possible for the minister to share with the public of Ontario, now that the government has signed a formal agreement with Reed, as he tables the agreement, all of the studies and data which have come to his attention and about which his staff has written fully one to the other and claimed "other involved ministries have reviewed it as well"? Which other ministries? Where's the material?

**Hon. Mr. Kerr:** As I say, Mr. Speaker, I have no objection to tabling relevant material in respect to the assessment done for Reed Paper by, I believe, Acres Limited. But I think the hon. member can appreciate that apparently a file of an official of my ministry was copied in some way, including a lot of inter-office memos, some of it illegible, and types of material of that kind. I want to make sure that anything I table here is relevant and appropriate to the particular proposal being submitted by Reed.

**Mr. Cassidy:** And you'll make that decision?

**Mr. Reid:** Can the minister tell us today, or tell us tomorrow, or Thursday, what other relevant ministries in fact received the information? Would it be the Ministry of Natural Resources, or Health, or who? Will he give us that information? Who else received the report?

**Hon. Mr. Kerr:** Mr. Speaker, I'm not sure exactly what other ministries may have received it from the company or from other ministries. Certainly I would be happy to table anything which passed between my ministry and some other ministry that may relate to this subject.

**Mr. Lewis:** You sign agreements but you don't know what you've got.

[3:45]

Mr. Speaker, a question of the Minister of Natural Resources. Is the Minister of Natural Resources not concerned about entering into this kind of agreement with the Reed Paper Company when he has such a damning condemnation of that company submitted by his forest management officer, Mr. J. R. Cary as recently as September, 1976, pointing out that the regeneration is running at less than half the level it should be and indicating that the cutting and high-grading practices are no part of any forest management system to his knowledge? How can the minister enter into an agreement with a company with that record?

**Hon. Mr. Bernier:** Mr. Speaker, the hon. Leader of the Opposition should realize this is a memorandum of understanding. It sets up the framework in which all the various steps and timetables have been spelled out for public participation. Let's make that point clear.

With regard to an individual's comment with regard to the reforestation practices, I think the member is aware that since 1962 the Ministry of Natural Resources has been responsible in taking the lead in regeneration and management practices.

Interjections.

**Hon. Mr. Bernier:** If there is a criticism it has to come right back to the way we are approving those particular plans. I will indicate to members, in the course of my estimates, which start tonight, that we will be reviewing many of the actions which have been taken, and these plans.

**Mr. Conway:** But you are responsible.

**Hon. Mr. Bernier:** While it may be one individual's opinion within that particular field, we will certainly correct anything that has gone on, and with other companies, too.

**Mr. Lewis:** A supplementary: Is the minister aware that there is a memorandum from M. D. Kirk, environmental planner in the Ministry of the Environment, to V. W. Rudik, assistant director, environmental approvals branch, dated April 26, 1976, relating to a seminar on forest management and environment, April 20 to April 23, 1976, at which there were 15 private sector foresters and three Ministry of Natural Resources foresters in attendance, including Cary from Reed, in which they indicated everything from undue industry, administrative and political influence on the Ministry of Natural Resources, indicated that we may have a timber shortage in the province by the year 2000 and that regeneration was virtually non-existent? How can the minister continue to grant to Reed a part of Ontario as large as the province of Nova Scotia with the record which his own people are chronicling? Why is he doing it?

**Hon. Mr. Bernier:** I think the hon. Leader of the Opposition is ignoring my earlier comments and he just refuses to accept them. All kinds of people can make all kinds of comments. If there is any truth or depth to those particulars—

**Mr. Lewis:** They are your people; they are your memos.



**Hon. Mr. Bernier:** —it's certainly something I would like to look into. Certainly I am not aware of these practices to which the hon. member refers.

**Mrs. Campbell:** You should know.

**Mr. Angus:** I would ask the minister if, in his earlier comments, he or his ministry took the blame for highgrading within the Reed area? Is that what he said?

**Hon. Mr. Bernier:** No, we don't, Mr. Speaker.

**Mr. Angus:** Who does?

**Hon. Mr. Bernier:** It was just an individual's opinion, if it is high-graded or not. We have a forest management plan for every licensed area in the province of Ontario. The member may think it is highgrading. We think it is forest management.

Interjections.

#### GASOLINE PRICES IN NORTHERN ONTARIO

**Mr. Lewis:** A question of the Minister of Energy: Since the Isbister commission report has now been out for several months, is it possible for him to act on one tiny particle of it and begin to equalize gasoline prices in the north as in the south, which is so profoundly felt by those people?

**Hon. Mr. Timbrell:** Mr. Speaker, I will be responding to the various reports of Isbister in a few weeks' time here in the Legislature and the question of gasoline prices and differentials, not just between the north and the south but around the province, will be dealt with in that response. I might say that I note with great interest some of the comments made by the members, particularly that particular member, and I will have a great deal to say to challenge some of the assumptions they make which are misleading the people of the north.

Interjections.

#### REED PAPER

**Mr. S. Smith:** A brief question to the Minister of Natural Resources on the previous topic, Mr. Speaker: Is the minister satisfied that the environmental assessment hearings which he is reporting will take place in northwestern Ontario, will be sufficient to give proper consideration to the impact of the proposed Reed deal on the native peoples'

situation as well as on the whole matter of forestry generation in Ontario, and if he is not satisfied with that, can he assure us that a separate public inquiry into these matters will be considered by the minister?

**Hon. Mr. Bernier:** Mr. Speaker, there is a real concern by this government with regard to the native peoples and—

**Mrs. Campbell:** When did that happen?

**Hon. Mr. Bernier:** —this development, if and when it ever goes ahead, and certainly we will do everything in our power to make sure that their views are properly expressed and made known to the Environmental Hearing Board so that they in turn can make recommendations. I don't think at this point in time though I would be committed to have a separate, public inquiry, because I think that this will be an all-encompassing one, held in different places in northwestern Ontario where they could provide that input.

**Mr. S. Smith:** I'll leave that topic for now, Mr. Speaker.

#### RACIAL ATTACK

**Mr. S. Smith:** A question to the Attorney General, if I might. Has the Attorney General received a letter and petition dated October 9, from the Toronto East Indian community, complaining of a racial attack which allegedly occurred on September 30, on Weston Road, and can he explain if he has received this why it is that although the petition says, and I quote:

The attackers were still visibly present when the police were there. Although they were identified to the police, no action was taken against the attackers.

My understanding is that as of today no charges have been laid. Can he give some comment on this?

**Hon. Mr. McMurtry:** Mr. Speaker, I have some recollection of a letter of that nature and upon receipt of the letter I requested the Metropolitan Toronto Police Department to give me a full report of the incident and I have yet to receive a reply.

**Mr. S. Smith:** Just by way of brief supplementary, I presume that the Attorney General will report to the House when he receives such a reply?

**Hon. Mr. McMurtry:** Yes, Mr. Speaker.

## PUBLIC HEALTH NURSES' NEGOTIATIONS

**Mr. S. Smith:** A question to the Minister of Labour and this regards the public health nurses situation where, as she knows, Mr. Speaker, 29 of 37 units are still without a contract. Is she intending in fact to do something about this? And may I ask if this is part of the policy outlined in the Ministry of Health's brochure called "Ontario's Health Units Looking After You" where it says, "It's been said when you walk through the door of a good health unit you'll find nothing but empty desks. An exaggeration of course, but one with a great deal of truth." I'd say there's a lot more truth nowadays than was intended. "A health unit doesn't sit back and wait for trouble to happen." Can she possibly explain to us what the government is planning to do in this regard?

**Hon. B. Stephenson:** Mr. Speaker, I am sorry that I can't explain the brochure which the hon. leader of the third party has just produced. I haven't seen it.

We are in fact still discussing the problems with the executive group of the Ontario Nurses' Association. We have had conversations and a great deal of communication from the various boards of health throughout the province. Each side to this dispute is of course intent upon presenting their point of view regarding the dispute and we are listening with a good deal of interest to both sides.

**Mr. Mackenzie:** It's taking an awful long time.

**Hon. B. Stephenson:** It would seem to me that because of the fact that there has been the capability demonstrated by some boards of health and by some units of the public health nurses to achieve a settlement that in fact this should be a possibility throughout all of the negotiations at this time.

I understand that there is a campaign afoot by at least a group of the Ontario Nurses' Association to persuade some individual to introduce a private member's bill to ensure that—

**Mr. Sargent:** That would be a big help, wouldn't it, eh? Would you support a private member's bill?

**Hon. B. Stephenson:** —the nurses in public health units will in fact be capable of achieving compulsory arbitration, for their specific membership within the health unit. This is a possibility, I would anticipate. However, the communications which I received from boards of health would lead me to believe

that they are not entirely enamoured of that kind of concept, and I think we have to listen to both sides within this dispute.

**Mr. Cassidy:** How can they bargain when it is shut down?

**Hon. Mr. Rhodes:** Are you supporting compulsory arbitration, Mike?

**Hon. Mr. Davis:** Why don't you ask Mike to arbitrate?

**Mr. S. Smith:** When the minister speaks of some particular person among the nurses, is she referring to the letter from the chief executive officer of the Ontario Nurses' Association, Anne S. Gribben, in this regard? And is it in fact the intention then of the ministry to proceed with arbitration and to continue to deny this one possible remedy to the public health nurses whose work is so important in this province?

**Mr. Lewis:** Some remedy.

**Hon. B. Stephenson:** Mr. Speaker, it is not my intention to deny any group any right at all. It would seem to me that the employers of the nurses also have a right to express their opinions—

**Mr. Cunningham:** Did they tell you they needed more money?

**Mrs. Campbell:** For how long?

**Hon. B. Stephenson:** —about the move to compulsory arbitration which would in fact place the—

**Hon. Mr. Rhodes:** Cassidy advises compulsory arbitration.

**Mr. Cassidy:** The employees bargained in good faith.

**Mr. S. Smith:** Pay no attention to him.

**Mr. Deputy Speaker:** Order, please.

**Hon. B. Stephenson:** I am sorry, Mr. Speaker. I have difficulty in overcoming Mr. Motor Mouth—pardon me—across the way.

**Mr. Reid:** That lowers the level.

**Hon. B. Stephenson:** I apologize. In the heat of the moment, I allowed my thoughts to run away with me.

**Mr. Conway:** Is this your Kitchener speech?

**Mr. Lewis:** That's the phrase for the week; you blurted it out.

**Hon. B. Stephenson:** This is a very difficult situation and there might possibly be a solu-



tion to it if we could persuade both parties to this to meet again together to discuss the possibility of going this route with the kind of mediation which we have provided for them. We have provided mediation services in many of the instances and in some of them have been successful in reaching an agreement. The agreement I gather is satisfactory to the Ontario Nurses' Association in those instances in which in fact it has been achieved.

**Mr. Deans:** A supplementary question: Does the minister have any of her staff currently working on any of the disputes in an effort to find a solution? Is the minister satisfied that there has in fact been bargaining in good faith taking place, at least during the last three or four months of the dispute, since the dispute has been going on for some considerable period of time?

**Mr. Bullbrook:** About 18 months.

**Hon. B. Stephenson:** Yes, Mr. Speaker, I am completely satisfied that in several of the instances where senior members of my staff have been involved there has been bargaining in good faith.

**Mr. Deans:** Is it carrying on now?

**Hon. B. Stephenson:** Today, no; last week, yes.

**Mr. Sargent:** In view of the cutbacks in health by the minister and the great job these public health nurses do up our way and across the province, would the minister support a private member's bill in this regard?

**Hon. B. Stephenson:** Well, Mr. Speaker, I am not aware of any cutbacks in health. To my knowledge, there have been increases right across the board in all areas. I am also aware of the fact that local boards of health do have another source of income if they wish to negotiate beyond specific guidelines, and in fact they might approach that source of income, which is their local taxpayers, to improve the financial situation. I would have to see the bill which is being proposed before I could agree to consider it seriously. I haven't seen it.

**Mr. Lewis:** May I ask the Minister of Labour, instead of driving the public health nurses, who are clearly now frantic and driven to extremity, advocating compulsory arbitration on one side to resolve it, why doesn't she break through the collusion among the local units and the bad faith bargaining and insist—even through her

appointed representatives, if she has to, dissolve some of the health units in the process—that they reach a contract? Why is she doing it to the nurses for 18 months?

**Hon. B. Stephenson:** Mr. Speaker, I don't appoint the public health units. How on earth could I dissolve them if I don't have the authority to appoint them? The hon. Leader of the Opposition should know whereof he speaks.

**Mr. Bullbrook:** In view of the fact that the minister wants to know the wording of the statute, I would like to send a copy of the proposed legislation that I intend to submit for the consideration of the House at the appropriate time, but I want to ask a question supplementary to that submission. Since this dispute has been going on now for approximately 18 months—and recognizing totally the need for sincere collective bargaining and recognizing also that we don't want to interfere with free collective bargaining—in view of the fact that this government has always seen fit to impose arbitration when the public good is at stake, would the minister answer me in this context: After 18 months, doesn't she think it's time that we gave some justice to these public health people?

[4:00]

**Hon. B. Stephenson:** Mr. Speaker, I can only say, with all humility, that's precisely what I have been attempting to do over the last eight months.

Interjections.

**Mr. Sargent:** Because they have no political clout, that is why.

## MINE CLOSINGS

**Mr. Ferrier:** I have a question of the Minister of Natural Resources. I wonder if the minister is aware that Pamour Mines has announced the closing of the Hallnor and Aunor divisions to take place about the end of the year, adding another 100 men in the gold mines who will be out of work, to about 650 in the Timmins area? Is the minister prepared to announce some imminent action by the Ontario government to try to protect the jobs of the gold miners in this province since we don't seem to be getting much result at the federal level?

**Hon. Mr. Bernier:** Mr. Speaker, I'm very pleased that the member for Cochrane South is most interested in the jobs of the people

in northern Ontario. I wish his leader was equally concerned about the jobs in north-western Ontario on the lakes and in the non-renewable resources.

**Mr. Lewis:** All the resource-based communities will collapse when you are through with them.

Interjections.

**Hon. Mr. Bernier:** Mr. Speaker, this government took the leading role with respect to the problems facing the gold-mining communities in this province—and indeed, Canada—ahead of the federal government.

We made a passionate plea at the mine ministers' conference in St. John's, Newfoundland, asking the federal government, first, to approach the International Monetary Fund to put some form of moratorium on these gold auctions that it was approving and of which the federal government had a part in the decision. We had other countries in the world asking for the same thing. We have not yet received any consideration from the federal government.

We also asked the federal government to look at some possibility of assisting those gold mines which may have to phase down over a short period of time.

Both of those requests are still before the federal government. It is studying them, to my information. I have taken it upon myself to meet with the gold committee, led by that very able mayor from Timmins, Leo del Villano, at which meeting the member was present.

**Mr. Laughren:** Spare us.

**Hon. Mr. Bernier:** We reviewed the entire situation as it relates to the gold-mining communities, not only in this province but, indeed, Canada. They are serious; there's no question about it. We will continue to press the federal government for some decision as it relates to the gold-mining industry because it has that responsibility. I can assure you this government will apply all its weight in that direction.

**Mr. S. Smith:** Has Joe Clark given you his position on that?

**Mr. Ferrier:** I have a supplementary, Mr. Speaker. Before it becomes even more critical than it already is, would the minister be prepared to make further representation at this time to the federal government to try to get some action out of them? If that fails, is there some action, such as was requested by the gold study committee last week for a loan,

that the minister is considering and on which he will try to have some answer for us as soon as possible?

**Hon. Mr. Bernier:** Mr. Speaker, I can only repeat that we will use all the weight of this government on the federal government to listen to our request—

**Mr. Nixon:** What are you going to do?

**Hon. Mr. Bernier:** —because even the senior civil servants of that ministry indicated that our proposals were the soundest yet received from any province in Canada. We intend to use everything we've got in our power to get them to pay attention and do something about it.

**Mr. Conway:** Send Ed Havrot.

**Mr. Bain:** A supplementary, Mr. Speaker: If the federal government refuses to act, will the provincial government do something on its own for a change? Will the government provide a subsidy or will it provide a low-interest loan, or is it going to sit back and do nothing if the federal government refuses to act?

**Hon. Mr. Bernier:** Mr. Speaker, that's a hypothetical question.

#### RELEASE OF INDIVIDUAL FROM MENTAL HEALTH CENTRE

**Mr. Singer:** Mr. Speaker, I have a question of the Attorney General. I wonder if the Attorney General could tell us, in view of the release of one Max Bluestein from the provincial mental health institution, just the procedures whereby the order in council was passed, the reasons that the order in council was not available for examination by members of the public; the reason the Metropolitan Toronto police force was not advised of the man's release; and the ground rules that the cabinet has, if any, governing this kind of decision prior to passing such an order in council?

**Hon. Mr. McMurtry:** Mr. Speaker, I think there were four or five questions asked by the hon. member. I don't know if he wants them answered in any particular order. As the hon. member knows, the recommendations to cabinet are brought forward from the advisory review board, headed by Mr. Justice Edson Haines of the Supreme Court. They are brought to cabinet by the Minister of Health because once the person is found not guilty by reason of insanity the person is no longer in the justice system but is treated as



a mental patient. As I recall, I believe I was in cabinet on one occasion when the Minister of Health brought forward a recommendation of the advisory board in relation to Mr. Bluestein. I can't recall for certain but I believe I was there.

As members know, this advisory review board is constituted of not only a judge of the Supreme Court but two psychiatrists, neither of whom has anything to do with the institution which is treating the patient; and two members of the community, including a member of the legal profession. It's my view, without delving into confidential cabinet discussions, that I have great respect for this review board and speaking very personally, Mr. Speaker, I would not be prepared to reject a recommendation of that review board unless for very cogent reasons. There was no such reason as I recall in my view on this occasion.

As to the publishing of the order in council, I am not prepared to give a definitive legal opinion, except to say that the medical staff of these institutions—more particularly the Clarke Institute, whom I happened to confer with recently—are very concerned about the publication of these orders in council in view of the often detrimental effect it can have on a mental patient. As to whether or not this cabinet is wise to accept the best medical opinion available in that respect, with respect to making these matters public, I am not in a position to state any precise legal opinion at this time other than to state that to my knowledge the non-publication of any such order in council, loosening a warrant, is done because the psychiatrists of this province think it would be very detrimental to the progress, the treatment, the rehabilitation of our mental patients to do so.

**Mr. Singer:** By way of supplementary: Does the Attorney General believe that the recommendation of this committee which, up to the time this matter was made public, its membership was kept secret, should be conclusive? Does he not believe it is reasonable that the law enforcement authorities be consulted? Certainly the death of another citizen had been involved, even though there was an acquittal on grounds of insanity, and the safety of the public had to be considered. Does he not think that the whole procedure demands a review and an enforced consultation of the law enforcement authorities, at least for their opinion, and, certainly as with other matters concerning the imprisonment of citizens, that the matters be done in public and the public be allowed to become aware of what has happened?

**Hon. Mr. McMurtry:** I think the hon. member opposite labours under an almost total misunderstanding of how the system works.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** First of all, Mr. Speaker, the individual is not in prison. He is not an accused person. He has not been found guilty of a criminal offence. Under the law of this land he has been found not guilty and is regarded as a mental patient.

**Mr. Singer:** On a point of order, Mr. Speaker. If the Attorney General had listened, he would have heard that I did not say the accused had been found guilty. I said that he had been acquitted by reason of insanity, and I wish the Attorney General, before he builds up a straw man to attack, would listen carefully and answer the question that was put to him.

**Hon. Mr. McMurtry:** I listened very carefully, Mr. Speaker, and—

**Mr. R. S. Smith:** Maybe Darcy would help.

**Hon. Mr. McMurtry:** —he went further than talking about an accused person, he referred to a form of imprisonment, so I would remind him again that the person is a patient and is not in a correctional institution.

**Mr. Worton:** Driving a car.

**Hon. Mr. McMurtry:** I think the Minister of Health (Mr. F. S. Miller) made it quite clear last week his instructions are for the local police department to be advised in relation to a loosening of a warrant and that he had a clear understanding with the Clarke Institute that this was, in fact, to be done. I further understand that although there may have been some confusion in the minds of some persons at the Clarke Institute that the Toronto police, in fact, were aware of the fact that Mr. Bluestein did have some privileges in the community and had known this for some months.

In relation to the advisory review board consulting the local police before they make a recommendation, I would have grave reservations about endorsing such a procedure.

**Mr. Bullbrook:** By way of supplementary—

**Mr. Speaker:** Order, please.

**Mr. Bullbrook:** There has been one question and some supplementaries.

**Mr. Speaker:** Multiple questions and multiple supplementaries.

**Mr. Bullbrook:** Yes, but may I—

**Mr. Speaker:** We'll allow a final supplementary to the member for Sarnia.

**Mr. Bullbrook:** Thank you very much. Peripheral to the response, on a matter that I consider extremely important, do I understand the Attorney General correctly to say that the question of the publication or otherwise of an order-in-council should be a matter of legal opinion, because I want to say, should he not consider it to be a matter of legislative approval or not? Should not those guidelines that assist the government in assessing, for example, in a situation like this, whether an order-in-council should be withheld from public knowledge, those guidelines should be established by us in the Legislature.

**Hon. Mr. McMurtry:** I have nothing further to add to what I said earlier.

**Mr. Kennedy:** Mr. Speaker, a question for the Minister of the Environment.

**Mr. Renwick:** Go get him, Doug.

**Mr. Breithaupt:** It is tough not being in cabinet any more.

#### TRICIL WASTE MANAGEMENT

**Mr. Kennedy:** Would the minister advise the present status of the air pollution abatement control order at the Tricil Waste industrial plant at Clarkson? As I understand, negotiations have been going on for some time now and could he bring us up to date, please?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, there is a new control order issued against that company and also a violation notice was issued about the end of August. The problem is there, they are burning wastes that their incinerator can't handle and they are required to do certain things to the plant in order to be able to do that.

**Mr. Kennedy:** Supplementary: Could the minister give us some indication that the problem of—

**Mr. Sargent:** Don't make it too difficult now.

**Mr. Kennedy:** —noxious odour will be remedied?

**Hon. Mr. Kerr:** Yes, if the combustion process that they hope to change is adequate to handle the waste that is being delivered to

that plant, that should eliminate the odour and that is a requirement of the control order.

#### DUNDAS P.U.C. INQUIRY

**Mr. Deans:** A question for the Treasurer: Today's Hamilton Spectator on page 10 quotes someone in his ministry—Mr. Spencer Hope, I believe it is, in the ministry—as saying that the ministry is going to launch an investigation into the Dundas PUC. On page 10 it also says, and it quotes Dennis Timbrell as saying that the ministry is not going to launch an investigation, that it's a matter for the local municipality to resolve. Who am I to believe?

**Mrs. Campbell:** Neither one of them.

**Hon. Mr. McKeough:** Mr. Speaker, I have not yet seen page 10 of today's Hamilton Spectator—

**Mr. Lewis:** Why not?

**Hon. Mr. McKeough:** —for which I offer my apologies to you, sir, and to the House.

**Mr. Deans:** All I am asking is, who do I believe?

**Mr. Bullbrook:** You are labouring under delusions again.

[4:15]

**Mr. Speaker:** Order, please. We are wasting valuable time here.

**Hon. Mr. McKeough:** The carriage of this particular matter has been with my colleague, the Minister of Energy (Mr. Timbrell), and if the hon. member is waiting breathlessly to decide who he should believe when he reads the Spectator, I would suggest that he follow the advice given by whoever it was from the Ministry of Energy rather than from my ministry.

**Mr. Deans:** A supplementary question: Is the story wrong that the Treasurer's ministry is going to investigate the PUC? If it is, why then is it that his ministry officials are quoted extensively as to exactly what form the investigation will take? And thirdly—let me ask this and get it all over at one time—why won't the minister hold an election there to clear the air and allow the people to decide, since it will be at least two years before any finalization of the restructuring is reached?

**Mr. R. S. Smith:** Because he is not sure you won't run.



**Hon. Mr. McKeough:** Mr. Speaker, not having read the story, I am not in the position to say whether it is right or wrong.

**Mr. Deans:** So you don't know.

**Hon. Mr. McKeough:** It is not my intention to have some sort of an investigation, as I have said. That matter has been looked into by my colleague, the Minister of Energy, and I believe it is not his intention to have any further investigation. As to whether there will be an election or not, I would suggest that would be an appropriate question to put to the Minister of Energy, who is not in his seat at the moment.

**Mr. Deans:** But it is your responsibility under The Municipal Act.

**Hon. Mr. McKeough:** Yes, but as the member is well aware, there are a series of consultations going on across the province under the aegis of a committee set up by Ontario Hydro, by the Ministry of Energy and by the OMEA, and the carriage of that is with Minister of Energy. The ultimate solution and the legislation may well come within The Public Utilities Act, but I would expect that the legislation would be carried by my colleague, the Minister of Energy, rather than by myself, and I would suggest that the hon. member address the question to him. I will certainly alert him to look at the Hamilton Spectator.

**Mr. Speaker:** Is this a supplementary, member for Wentworth North?

**Mr. Cunningham:** Yes.

**Mr. Deans:** Is there any significance in that document?

**Hon. Mr. McKeough:** I can't hear you.

**Mr. Speaker:** Order, please. The member for Wentworth North with a supplementary.

**Mr. Cunningham:** A supplementary to the provincial Treasurer: Given the continuing difficulty that exists within my riding on this subject, the pressure by the council in asking the province of Ontario to intervene directly on this and the fact that we have had two inquiries, I'm just wondering whether the provincial Treasurer will address himself to Section 135 of Bill 155, passed in 1973, wherein the government says that the members of the Public Utilities Commission shall continue to hold office until a date to be determined by the minister. Given that it has been three years, would the Treasurer please kindly have an election and straighten this

out? You know, we're getting tired of the whole thing. Show some leadership.

**Hon. Mr. McKeough:** Mr. Speaker, I would like to address myself to the preamble of that question: Given the difficulty which exists in your riding . . . , How true that is. How true that is.

**Mr. Breithaupt:** Only for Tories.

**Hon. Mr. McKeough:** I can only suggest that the hon. member address his question to the Minister of Energy.

**Mr. Cunningham:** Do the municipalities not relate to the Treasurer's portfolio? Isn't that his concern, his domain?

**Hon. Mr. McKeough:** Mr. Speaker, I've already explained this. If you'd like me to take a little more time, I'd be glad to do so.

**Mr. Sargent:** Answer his question.

**Mr. Lewis:** Tell us about your domain.

**Hon. Mr. McKeough:** There is a consultative committee, which was announced in this House and which is meeting with the municipalities, with the regions and with the utilities, and consisting of representatives from my Ministry, from Energy, from Ontario Hydro, from the OMEA and from the local utilities. Those committees ultimately report to Ontario Hydro and through Hydro, to the Minister of Energy, and through the Minister of Energy to the cabinet. At such time, then the legislation will be introduced. If the member is seriously interested in the progress or otherwise of those various committee studies, then I suggest that he address his question, as I have said, I think now for the fifth time, to the Minister of Energy.

**Mr. Cunningham:** How long do we have to wait?

**Mr. Speaker:** Any further questions?

#### LAND ANNEXATION IN BARRIE AREA

**Mr. Good:** A question to the provincial Treasurer: In view of the fact that he has endorsed the application by the city of Barrie for a mass of land in Vespra, Oro and Innisfil, I believe—he has endorsed that application in his letter to the OMB—and taking into consideration the fact that this will take over 90 per cent of the industrial and commercial assessment of Vespra township, does the minister not feel that the townships are going to be left in a position where they will

not have a viable tax base? And could he comment on their fear that the Treasurer is using their endorsement of this as an underhanded manner to force them eventually into a regional government situation in that area?

**Hon. Mr. McKeough:** I have not endorsed that particular application. What the government has endorsed and will continue to endorse is the growth of a large urban area in the Barrie area, centred on Barrie and also ultimately, I think, on Orillia, on Collingwood and on Midland. How large or small that application should be is a matter to be determined by the Ontario Municipal Board. I have made no secret of the fact, though, that if that kind of growth is to be achieved then I think it would be more easily achieved under one government, presumably the city of Barrie, rather than having three or four or five governments competing for the same kinds of growth.

I have indicated to Vespra and to other municipalities that if they feel they are going to be financially disadvantaged by whatever form the annexation might ultimately take then we, as a government, are prepared to assist in ameliorating that financial disadvantage.

**Mr. Good:** Supplementary: In that the words of the minister as used in his letter state that the government is prepared to look favourably on the provision of a portion of the funds for the purpose, would the minister assure both the citizens of Barrie and the citizens of the townships that the application, when brought to its completion by the annexation, will not bear unduly on the tax burden in either the annexing city or the areas to be annexed, and would he be prepared to put up the money to eliminate the hardships even if the Municipal Board should not make awards under section 14 of The Municipal Act?

**Hon. Mr. McKeough:** I doubt that very much. I have great confidence in the board's fact-finding skill in this particular area and I certainly wouldn't commit the government to doing something until the Municipal Board has had a look at the situation.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

## REPORT

Mr. Renwick presented the first report of the select committee on the Ombudsman and

asked in accordance with the terms of reference that it be placed on the order paper for consideration.

**Mr. Speaker:** Motions.

## MOTION

**Hon. Mr. Welch** moved that Mr. Ferris be substituted for Mr. Hodgson on the select committee on company law.

Motion agreed to.

**Mr. Speaker:** Introduction of bills. The Minister of Transportation and Communications.

**Hon. Mr. Rhodes:** Mr. Speaker, I changed portfolio in February, 1976.

**Mr. Foulds:** It hasn't been noticeable.

**Mr. Sweeney:** You see how unnoticeable it was.

**Hon. Mr. Rhodes:** I did my job. I am a lot like your leader.

**Mr. Cassidy:** Did you feel left out earlier today?

**Mr. Lewis:** You are making quite an impact.

## PLANNING AMENDMENT ACT

**Hon. Mr. Rhodes** moved first reading of Bill 130, An Act to amend The Planning Act.

Motion agreed to.

**Hon. Mr. Rhodes:** Mr. Speaker, this bill deals essentially with two subject matters: namely, the exercise of the consent-granting function with respect to subdivision and part lot control; and the exercise of the ministerial powers in respect of land-use control.

Consistent with the policy of delegating power to the local level in appropriate circumstances, section 1 will enable the delegation of the consent-granting function in the territorial districts to local planning boards or to newly created district land division committees. As well, the day-to-day involvement of the ministry in the review of the decisions of the committees of adjustment and land division committees is being terminated, with the deletion of the requirement for forwarding copies of all decisions to the ministry.

Provision is made, however, to reinvoke the requirement in respect of individual com-



mittees by giving of registered notice. Related to the foregoing section 31 of the Act is amended to authorize withdrawal of the consent-granting function from a land division committee the same as is presently provided for in respect of the committee of adjustment.

Section 4 of the bill clarifies the procedures to be followed in the making of minister's orders and amendments thereto, including the giving of notice in respect thereof and subsequent hearings by the Municipal Board.

**Mr. Nixon:** This is the one the courts say you don't have the authority to oppose.

**Hon. Mr. Rhodes:** A substantive provision contained in section 5 of the bill verifies the status of all minister's orders made heretofore.

#### FARM INCOME STABILIZATION

**Hon. W. Newman** moved first reading of Bill 131, An Act respecting Farm Income Stabilization.

Motion agreed to.

**Hon. W. Newman:** There's a very short explanatory note. The bill provides the establishment of the Farm Income Stabilization Commission of Ontario and empowers the commission, subject to the approval of the Lieutenant Governor in Council, to make regulations establishing, amending and revoking voluntary plans for farm income stabilization respecting farm products and governing the terms and conditions of stabilization under any plan.

The commission in exercising its powers may ascertain farm product receipts applicable to any farm products under a plan, may establish a stabilization price or prices respecting any such farm products, and may pay to persons enrolled in the plan the amount, if any, by which the appropriate stabilization price exceeds the appropriate farm product receipts. The stabilization price, where fixed in relation to farm products, will be fixed at 95 per cent of the five-year average price adjusted for cash cost changes. Farm product receipts would be established at a level representing not less than 90 per cent of the five-year average price, adjusted for cash cost changes.

#### CORONERS AMENDMENT ACT

**Hon. Mr. MacBeth** moved first reading of Bill 132, An Act to amend The Coroners Act, 1972.

Motion agreed to.

**Hon. Mr. MacBeth:** Mr. Speaker, The Coroners Amendment Act, 1976, provides for two changes to the present legislation. The first would eliminate the need for mandatory reporting to a coroner of deaths which occur in nursing homes and subsequent investigation by him. However, such reporting and investigation procedures would become mandatory in facilities designated under The Developmental Services Act, 1974.

#### ASSESSMENT AMENDMENT ACT

**Hon. Mr. Meen** moved first reading of Bill 133, An Act to amend The Assessment Act.

Motion agreed to.

[4:30]

#### GIFT TAX AMENDMENT ACT (No. 2)

**Hon. Mr. Meen** moved first reading of Bill 134, An Act to amend The Gift Tax Act, 1972.

Motion agreed to.

#### WINE CONTENT ACT

**Hon. Mr. Handleman** moved first reading of Bill 135, An Act to provide for the Limited Inclusion of Grapes grown outside Ontario in Ontario Wine.

Motion agreed to.

#### CORPORATIONS INFORMATION ACT

**Hon. Mr. Handleman** moved first reading of Bill 136, The Corporations Information Act, 1976.

Motion agreed to.

#### BUSINESS CORPORATIONS AMENDMENT ACT

**Hon. Mr. Handleman** moved first reading of Bill 137, An Act to amend The Business Corporations Act.

Motion agreed to.

#### CORPORATIONS AMENDMENT ACT

**Hon. Mr. Handleman** moved first reading of Bill 138, An Act to amend The Corporations Act.

Motion agreed to.

### EMPLOYEES' HEALTH AND SAFETY ACT

Hon. B. Stephenson moved first reading of Bill 139, An Act respecting Employees' Health and Safety.

Motion agreed to.

### FAMILY LAW REFORM ACT

Hon. Mr. McMurtry moved first reading of Bill 140, An Act to reform the Law respecting Property Rights and Support Obligations between Married Persons and in other Family Relationships.

Motion agreed to.

### MARRIAGE ACT

Hon. Mr. McMurtry moved first reading of Bill 141, The Marriage Act, 1976.

Motion agreed to.

Mr. Speaker: Are there any further bills?

Mr. Bullbrook: Mr. Speaker.

Mr. Speaker: The hon. Leader of the Opposition was on the floor.

Mr. Bullbrook: I had your eye first, Mr. Speaker.

Mr. Speaker: Had you? I had my eye on the hon. Leader of the Opposition.

Mr. Bullbrook: I thought I was rising as he was rising, sir, but I'll yield. I'll yield to the Leader of the Opposition.

Hon. Mr. Handleman: You are not an elder statesman yet.

Mr. Bullbrook: That's my obligation.

Mr. Speaker: Thank you very much. The hon. member for Sarnia is always a gentleman.

Mr. Bullbrook: I'll go first then.

Mr. Lewis: Yes, why not.

### HOSPITAL LABOUR DISPUTES ARBITRATION AMENDMENT ACT

Mr. Bullbrook moved first reading of Bill 142, An Act to amend The Hospital Labour Disputes Arbitration Act, 1976.

Hon. Mr. Welch: Is that the one for the nurses?

Mr. Bullbrook: That's the one for the nurses.

Hon. Mr. Bernier: Your last hurrah.

Mr. Bullbrook: By way of explanation, the bill permits public health nurses and any other employees of a public health unit to avoid a strike or lockout and consequent disturbance of service to the community by permitting their trade union to elect to arbitrate any collective bargaining dispute.

Mr. Lewis: Mr. Speaker, I have five bills, all of them related. I would appreciate introducing them in a series and then giving a quick explanation.

### TOXIC AND HAZARDOUS SUBSTANCES ACT

Mr. Lewis moved first reading of Bill 143, An Act respecting Toxic and Hazardous Substances.

Motion agreed to.

### OCCUPATIONAL HEALTH DATA ACT

Mr. Lewis moved first reading of Bill 144, An Act respecting the collection of Occupational Health Data.

Motion agreed to.

### RIGHT TO REFUSE TO PERFORM DANGEROUS WORK ACT

Mr. Lewis moved first reading of Bill 145, An Act respecting the Ensuring of Rights of Employees to Refuse to Perform Work that is Dangerous to their Health or Safety.

Motion agreed to.

### HEALTH AND SAFETY COMMITTEES ACT

Mr. Lewis moved first reading of Bill 146, An Act respecting Health and Safety Committees.

Motion agreed to.

### WORKER-INSPECTOR ACT

Mr. Lewis moved first reading of Bill 147, An Act respecting the Establishment of Worker-Inspectors in the Work Place.

Motion agreed to.



**Mr. Lewis:** Mr. Speaker, I have introduced these bills as part of the New Democratic response to the Ham commission report, which we, unlike the government, however, feel has application to workers' rights across the province.

Therefore, the two bills dealing with worker-inspectors and health and safety committees have application to every work place in Ontario with a number of employees greater than 10, and which is mandatory rather than the permissive nonsense that I judge I read in the minister's statement earlier this afternoon. The right to refuse work is set out explicitly with protective features, and I'll be glad to take a look at the bill again in light of what the minister's bill may or may not include.

The two bills dealing with occupational health data and the testing of substances in advance of their introduction into the work place are qualitatively different from anything which the minister has even mooted here today, and which we think have absolute application across the province.

#### HIGHWAY TRAFFIC AMENDMENT ACT

Mr. Breithaupt moved first reading of Bill 148, An Act to amend The Highway Traffic Act.

Motion agreed to.

**Mr. Breithaupt:** Mr. Speaker, this bill limits the use of the left lane on highways of four or more lanes to passing and left turns.

#### ANSWERS TO WRITTEN QUESTIONS

**Hon. Mr. Welch:** Mr. Speaker, before the orders of the day, I wish to table the answers to questions 58, 74, 89, 90, 99, 113, 121, 124, 126, 132, 133, 135, 136, 137, 138 and 139 standing on the notice paper. (See appendix B, page 4144.)

**Mr. Speaker:** Orders of the day.

**Mr. Laughren:** Would you lean on Mr. Kerr for No. 145?

#### CREDIT UNIONS ACT

Hon. Mr. Handleman moved second reading of Bill 97, The Credit Unions Act.

**Hon. Mr. Handleman:** Since this is milestone legislation, I think I should be excused

a little bit of reminiscing about the background and history of the bill.

When I became Minister of Consumer and Commercial Relations back in early 1975 I found my predecessor had been working long and hard on a complete revision of The Credit Unions Act, and that I was scheduled to meet with the credit unions to discuss the provisions of that Act before bringing it into the Legislature, so that we could obtain some form of consensus before actually drafting it into bill form. I found very quickly, somewhat to my surprise I must confess, that many of the credit unions and caisses populaires in the province were not completely enamoured of the provisions of the bill. After a certain number of meetings, I think very wisely and with the kind of judgement that this government often displays, we felt we should not proceed with something that this movement did not want, and we went back to the drawing board.

After a full year, I think I can say with some justification that we did manage to arrive at some consensus in the movement. With the consent and backing of the Ontario Credit Union League and the Federation des Caisses Populaires we were able to bring in Bill 97 last spring, and it has sat on the order paper ever since. During that time, we have of course continued to receive submissions from both the league and the federation as well as the many independent credit unions and caisses populaires that were not involved in discussions leading to the drafting of the bill.

We will be introducing in the committee stage more than 100 amendments to the legislation. I want to say that these are almost entirely as a result of submissions which have been made to us by members of the movement, the legal profession and the accounting profession. The bulk of the changes—in fact, to the best of my recollection almost all of the changes—are minor in nature and will not in any way alter either the intent or the principle of the legislation.

I had hoped to have on members' desks before the beginning of this debate, copies of the bill reprinted with all of the amendments. Somewhere in the printing process, unfortunately, and I apologize to the House for this, we have not been able to achieve that. However, I am told that they should be available by 8:30 tonight and that the debate can proceed. However, since this debate is on the principle, I want again to inform the members of the House that the amendments that we will be introducing are

relatively minor and should not affect the debate in any way.

I would like to repeat the basics of the legislation, since it has been several months since it was introduced here. In general terms the Act provides new powers for credit unions and improves security for depositors. The provision of deposit insurance at amounts up to \$20,000 is, of course, the very basic new provision in the Act. This insurance is the same as that which was offered by competitive financial institutions such as banks and loan and trust companies. It will be administered by a new Ontario Share and Deposit Insurance Corporation which will have a nine-member board of directors. One of the disputes during the original stages of the bill was representation on the board of directors. It has now been agreed that there will be six representing those credit unions and caisses populaires which are affiliated with one of the centrals, while the other three members will represent the public or those credit unions which are not members of one of the central associations.

The Deposit Insurance Corporation will be funded by an assessment of one per cent of the total share deposits of every credit union and caisse populaire in Ontario. We expect that a total of \$17 million will be raised in this way and that the contributions will be treated as an investment rather than an expense, which was another point of contention in the original draft that we had discussed last year. Interest paid on the invested funds should be more than is required to cover the administrative costs of the corporation, so we do not anticipate any additional assessments to cover the administrative expenses.

In this way the insurance scheme will not burden the public purse or the movement, and we don't believe that additional assessment should ever be required unless the fund sustains very serious losses. I must say that, in view of the movement's excellent record in Ontario and indeed everywhere in the world, losses certainly are not anticipated.

The provincial government will retain responsibility for supervision and inspection of credit unions in Ontario. The superintendent of insurance will examine the share and deposit insurance corporation in the same way that he would examine any other insurance company. So obviously the corporation will have to meet the same requirements as other insurance companies. The superin-

tendent of insurance will have that responsibility.

On the basis of providing deposit insurance the government feels the movement should have wider powers and faster growth. To this end, the legislation includes the following new powers—these have been listed before but I'd just like to go over them for the benefit of the members—the power to invest in guaranteed or insured mortgages; the eligibility of business partnerships for credit union membership; the power to act outside of Ontario in certain matters; the elimination of the requirement that credit union members must make up 51 per cent of the voting shareholders of corporations which have membership in a credit union; the power to invest in real estate for income purposes; the power to act as an agent on behalf of credit union members; the power to purchase life insurance for members and the power to establish and support funds, trusts and pensions for employees or former employees and their dependents.

Not too many people really are aware of the size and importance of the credit union movement in Ontario. I think I should again say to the House that at last count and from the best statistics we have approximately two million Ontarians are members of the movement. In view of that fact, I think it's understandable that there would not be unanimity in support of this Act. There are some who have minor differences and, as I understand it, will be coming to the standing committee, and I propose it to go to standing committee to discuss their individual points of view. But the consensus has been reached with the movement regarding the large majority of changes to be made. I anticipate the Credit Union League, as well as the Federation des Caisses Populaires, will have some suggestions as well as some of the independent credit unions and caisses populaires in the province.

We have held a great many meetings with members of the movement and with boards of directors of individual credit unions and we have received a great number of briefs from credit unions and such organizations, as I said, as the Institute of Chartered Accountants. We've held discussions with many other interested parties and it was ascertained that there was no disagreement on the basic principles. For this reason, none of the amendments are really substantial in nature.

I think, because we don't have the printed bill here, I'd just like to mention some of the



amendments for the benefit of members who may wish to touch on them in their comments. Originally the Act required every credit union to have the words "credit union" or "caisse populaire" in its name. We'll propose an amendment to permit those which didn't contain either phrase prior to the introduction of the Act to maintain their original names. I think probably the outstanding example of that is the Civil Service Co-op, which is the largest credit union in Ontario, but did not use the words "credit union" in its title.

In addition to giving recognition to some of the existing practices the words "credit union" need not be in English and we will permit French translations as well as the words "caisse populaire" which is a different form of credit union. To allow greater flexibility for growth potential credit unions will be allowed to build, purchase or lease property in excess of current needs, if, in the opinion of their boards of directors, the extra space may be required in the future. The original draft did not permit that. A subsection which allowed advertising in "the press" will be changed to permit advertising in other media as well to meet the obvious needs to advertise in media other than the printed media.

To assist small municipalities and school boards the investment powers of credit unions have been expanded to specifically allow investment in the bonds or debentures of any municipality or school corporation which will provide of course an extra source of funds and broaden the capital markets for those local governments. Originally in the first reading draft investment in bonds or debentures had been limited to those of any Canadian province.

Another amendment will permit a further expansion of investment powers by allowing credit union leagues to invest in ancillary corporations which provide services to individual credit unions or in any corporation registered under The Loan and Trust Corporations Act. An example of such a subsidiary corporation might be one which would provide data processing services to member credit unions.

To save time and expense for credit unions an amendment will be introduced to empower the director—the director of the credit unions branch in our ministry—to revise by-laws to proper legal form without having to convene a membership meeting provided the board of directors agrees and the intent of the members is not altered. In many cases,

minutes and resolutions are passed which require translation into legalese in order for them to be effective and not be confusing.

We will also introduce an amendment to allow credit unions to grow in size with a minimum of red tape by eliminating the concept of authorized share capital and a fixed number of shares.

Another point which was brought to our attention by the movement was that we had said that members must be 18 years of age. We have removed that requirement. It is now up to the board of directors to decide whether or not persons under that age may become members of the credit union.

A new section will be introduced at the committee stage to provide that money payable by a member to a credit union will be a debt recoverable in court. In addition, to protect the interest of all members, credit unions will be able to place a lien on the shares of a member to cover outstanding debts.

We had originally intended that the period of notice required to convene an annual meeting would be 21 days but some of the smaller credit unions felt that was too lengthy a period and they requested that we reduce it to seven. An amendment will be introduced to permit that.

To encourage investment in co-op housing ventures or other socially desirable developments, the powers of credit unions will be amended in committee to clarify that unions may invest up to five per cent of assets in investments not otherwise authorized by the Act. To reinforce the investment aspect of the one per cent assessment, a provision will be added so that it is refundable under appropriate circumstances, such as a winding up of the lien. This would be a refund of their one per cent assessment as recorded on the books of the deposit insurance corporation so that it is not money completely given to the corporation for ever.

To allow for situations where an individual may reside in one province and work in Ontario an amendment will be introduced to provide that if Ontario makes reciprocal arrangements with other provinces, credit unions will be allowed to act in those provinces to the extent of the agreement. This is of particular interest at the present time in Ottawa and Sault Ste. Marie and perhaps other centres in Ontario which have not been in touch with us.

Those are only a few of the amendments but I hope that the amendments and the original Act make the intention of the government quite clear because our position is

clear. The legislation reflects our desire to assist the credit union movement in retaining an independent stance and in remaining one of the most self-reliant and responsible groups with which I have had the pleasure to deal as minister.

We want to improve their competitive situation with regard to other financial intermediaries such as the banks and trust companies. We have recognized that credit unions have traditionally been very responsive to local conditions, particularly in rural areas, and sometimes constitute the only form of financial service available in small communities. Sometimes those small communities have been ignored by the larger financial institutions.

For this reason, we see a strong, healthy and independent credit union movement as one of the best possible ways to increase competition within the financial system and assuring at the same time, of course, that the financial needs of Ontario residents are adequately met.

I should at this time say that it has been a long process in developing legislation and a number of people have been involved. I would like to pay tribute right now to at least one, the former Superintendent of Insurance, Mr. Gordon Grundy, who accompanied me on that tour. The late Mr. Grundy was widely respected in the credit union movement and I am sure that those members of the movement would join with me in expressing our gratitude to him. Unfortunately, of course, he is not here today to see his efforts come to fruition.

I would also like to pay tribute to the present Superintendent of Insurance, Murray Thompson, and the director of the credit union branch of my ministry, Mr. Bill Jaffray, who have worked so hard on this together with the hundreds, if not thousands, of dedicated credit union directors, voluntary workers and managers, all of whom have had their input into this legislation with the result, I believe, that it is one of the best pieces of legislation I have introduced during my period in cabinet.

[5:00]

**Mr. Moffatt:** The comments which the minister has made are, I think, going to be echoed by a number of people. I'm glad that the government recovered from the 15-stop tour last February and March. I sense the government has recovered from that rather shocking tour, where the credit union movement stood up and told them exactly what they wanted in terms of legislation which

would enable them to undertake the kind of development policies which we in this party have for a number of years felt is properly the role of the credit union movement and the caisses populaires in the province of Ontario.

**Mr. Nixon:** Do you remember we wanted to take over their funds?

**Hon. Mr. Welch:** Ontario is fortunate in having a government willing to—

Interjections.

**Mr. Nixon:** Take over all their deposit insurance. If you ever got an opportunity you'd do it again.

**Mr. Moffatt:** Indeed it's odd to hear the comments being made by the former leader of the now third party. He said "Back off" during the election as well. I don't think that the term "back off" really applied in this case. I think that what happened is that the government went out and, for the first time in 30 years, listened to at least one group of people and they heard something that they heard again on September 18. That is, if you don't listen, you're not going to be here.

Interjections.

**Mr. Moffatt:** I think the credit union movement has been a service to the province of Ontario by proving that if you do stand up and yell loud enough, even a Tory government is apt to hear you once in a while.

**Hon. Mr. Welch:** That's the reverse—

Interjection.

**Mr. Roy:** Then they back off after the election.

**Mr. Moffatt:** I'm sorry that the amendments that the minister has promised us are not available. I want to deal with a couple of things that I hope will be available in amendment form and if they aren't included in the list perhaps we could include them during the committee stage. We also have contacted all of the credit unions, the leagues and the independents. I might add one point I wish to draw to the minister's attention in this connection is that when we went to contact all of the independent credit unions and caisses populaires we had some difficulty in getting that list from his ministry.

**Hon. Mr. Handleman:** Why don't you ask me?

**Mr. Moffatt:** I don't know whether he was afraid we were going to shred it, or just what



he was afraid we were going to do, but I would ask that where one of the opposition parties, and particularly a person who has been designated as a critic for that party, asks for such a list, that we not be required to sign our names in blood before a hint is even given. Perhaps it would be appropriate to have asked the minister, except that the minister wasn't here at that time and we talked directly to his office.

**Hon. Mr. Handleman:** How long was I away?

**Mr. Moffatt:** I have no idea how long you were away. I don't have time to follow you around.

**Mr. Nixon:** Were you abroad again, Sidney?

**Mr. Moffatt:** What I would like to say is that the hint at amendments that the minister has just mentioned, where the main problems have arisen between the various groups, I'm glad to see he has changed his mind on that. I think that's one area that was going to be contentious and yet it wasn't really going to have any effect on the spirit of the bill. So he has moderated that particular stand.

I'd like to direct the minister's attention at this point to a number of other sections. On section 12 of the bill, there was no hint that he had amendments to Section 12, and I think that's one of the areas that we're going to have to look at rather carefully. The minimum of 50 is given there, and I think that's going to cause some difficulty for some of the smaller credit unions. It might be possible to put forward an and/or amendment which would take into consideration the number of members involved in a credit union as opposed to putting a number of credit unions affiliated to a league. As I say, I think the minimum number which is mentioned in section 12 is going to need some change.

I'm interested also in section 62, and the limited amount of money which is indicated there, of \$300,000, will in fact today include perhaps most of the credit unions in that particular section. It would seem to me that if we asked all of the small credit unions to spend significant amounts on auditing fees and services each year because they fall into that \$300,000 bracket, or whatever it turns out to be, that's an additional expense that they really don't need to bear. The main beneficiaries of that clause, I would suspect, will be the people who are involved in the business of auditing.

I recognize though that that is one of the recommendations from the select committee.

I am pleased to see that the minister has, in the drafting, followed the recommendations of the select committee but perhaps this is one area where there should be a little flexibility. Some of the credit unions and other organizations to which we have spoken suggest raising that amount of money to \$500,000; others suggest \$1 million might be a more reasonable amount in today's economy. Obviously you are going to get input at the committee level.

There are a number of errors in the bill, printing errors and so on, and that has led to some difficulty. I know from discussions with some of the people in the credit unions branch that they have been caught and are being worked upon. I should say that some of the people who are new to that branch are really doing a lot toward making the credit unions branch within your ministry a viable agency now.

One of the things I hope will happen eventually though is that in the province of Ontario there will be a ministry which deals almost exclusively with the credit union movement. This would give it the kind of support that it must have if it is ever to be the kind of competition to the major lending and financial institutions that we, in this party, envisage a co-operative movement and credit unions to be. We think that that's one of the areas where this government has not in the past taken advantage of initiatives that could come from the people instead of from foreign companies and from lending outside and so on. My colleague points out that BC and Manitoba have moved significantly ahead of Ontario in that area, and I hope that we will move towards that.

In the minister's comments he made reference to the provision of funds and the support of co-operative housing. I welcome that comment. I hope that he will confirm that in writing and perhaps engrave it in stone and leave it on the desk of the Minister of Housing (Mr. Rhodes) because that ministry really has no interest in putting forward co-operative housing schemes. If you want information on co-op housing from that ministry, you have to find the group of people that have been designated. They are hiding off somewhere in a little cubby-hole and while they may be good people, they haven't the support from the ministerial function to put anything together to assist in the development of co-operative housing.

That's one of the areas where we really need to move and I submit to the minister that if he will push the Minister of Housing in that area, perhaps all of the people in



Ontario—not just the credit union movement but all of the people—will benefit from significantly lower housing costs.

I am going to conclude my remarks at that point, Mr. Speaker. I understand the bill will go to the justice committee and that the public and any interested person will be able to make representation. I trust that we will have some timetable now which allows those groups the chance to have organizational staff put together their input so that we will know when it might be that they will meet.

I realize that that would be a ruling of the Chair but I want to point out that if we schedule those meetings at too early a date, the chance for input will not take place. A number of people want to have input. I think we will all benefit. I hate to do this but I will congratulate the minister on having put forward a bill that this party will have no reservation in supporting. I hope that the mechanics of the bill are in keeping with the spirit of the bill as it is presented now.

**Mr. Cunningham:** Mr. Speaker, we too, in the Liberal Party welcome the movement of this piece of legislation which many of us feel is long overdue. I will speak to it very briefly as I understand it is going to the standing committee on justice. I would like to add my personal congratulations to the people who participated over seven years ago in the select committee on company law who examined the credit unions. Just for the record, because so many of their recommendations are adhered to in this current piece of legislation, they were: Mr. Carton, Mr. De Monte, Mr. Johnston (St. Catharines), Mr. Meen, Mr. Reilly, Mr. Rowe, Mr. Sopha, Mr. Trotter, Mr. Shulman, Mr. Renwick, Mr. Price, Mr. Lawrence, Mr. Braithwaite and last, and likely not least, Mr. Henderson.

To that end, I would offer my congratulations to them as I, personally, having read that report, think it bears a great relationship to this one. As a person who is quite keen as a Liberal in not seeing any more government regulation than we need, I appreciate the thesis of the legislation as it relates to self-regulation. I commend the minister in that particular regard. I think it bears a similar kind of relationship to the home warranties programme which, I understand and I think, will be administered very well by HUDAC; at least it's my intention that it will be. Some of us are optimists anyway.

I do wish we had a copy right now of the series of amendments that I understand are going to take place. I'd like to echo the words of my associate from Durham East (Mr. Moffatt) in hoping that proper notice will be given to all the credit unions and that some length of time be given to afford them the opportunity to participate with us in these discussions, as I think we'd all have to concede they have a great deal of expertise in this growing method of investment savings and loan opportunities.

To that end, I can only suggest that the movement of this Act will in many ways keep people out of the clutches of the finance companies and, more appropriately in some of the big cities, the loan sharks we all know exist. Personally, I welcome any competitive move to assist the people of Ontario to borrow money possibly at more competitive rates than our banks and trust companies are currently offering. I'm sure that will be of great benefit to us all in the future.

While I don't want to get into the specifics of the bill, I would hope some consideration would be given to changing section 40(2) wherein it is stated that "A deceased member shall deem to have given notice to a credit union of his intention to withdraw on the day of his death." It seems to be kind of redundant and it almost borders on being morbid.

**Mr. Moffatt:** I don't know what you can do with that.

**Mr. Cunningham:** I'm sure we could speak to that within the committee framework, but I would think sufficient notice would be given upon death. However, I look forward to discussing this with the minister during the course of the committee. I guess it's been seven years but I commend them for their action at this time. I'm sure it will be of great benefit to the people of Ontario.

**Mr. Renwick:** I would like to comment very briefly on the principle of the bill. As my colleague has said, we will support the bill.

I noticed in looking at the report of the select committee which was tabled in 1969 that but four of the 14 members are still members of the assembly. I have never been able to understand why it has taken the government so long to implement this particular piece of legislation which is in accordance with the provisions of the report of the select committee. I've never been one who thought that select committees' reports were wholly read but the impetus given to the re-



form of the law relating to credit unions by that report should not have been delayed this long in implementation by the government.

It does seem to me that it has now made it extremely difficult for the credit union movement—and perhaps we may hear more of this later on—to deal with this legislation and the impact which this legislation will have on their operations, necessary as that may be, when it comes forward at exactly the same time when the credit union movement is faced with the revisions inherent in the banking system under the decennial revisions of The Bank Act. There are serious problems about the interrelationship between financial institutions which by incorporation and otherwise are under the control and jurisdiction of this assembly in some aspects of their affairs but in other aspects of their affairs are subject of course to the overriding authority of the federal government insofar as the banking and financial institutions in the country are concerned.

I think one of the great benefits has been lost in the work of the select committee. At the time of its report in 1969, if a bill had been implemented at that time and passed into law with substantial agreement, which could have been achieved very quickly with the credit union movement, the select committee's report envisaged a further review after those changes had been implemented in the archaic structure behind the credit union movement, so that when the decennial review of The Bank Act came up we could have all focused our attention upon the impact which that revision is going to have upon the credit unions as financial institutions, peculiarly related mainly to local conditions within the particular areas in communities which they serve.

[5:15]

I notice, for example, that while we are providing significant changes with respect to protecting the depositors in the province of Ontario with credit unions, not that they haven't got that protection now, the credit union movement is faced with additional expense, indeed, very significant costs to them if the implementation of the white paper in the decennial revision of The Bank Act requires them to put up the reserve which is presently forecast for them. It will be a tremendous drain on their resources, and it will be a burden under which they, in their competitive role within the banking system, will have a difficult task to maintain their competitive position. I don't know what the

government's intentions are to assist the credit unions in making whatever representations they may want to make in Ottawa in the next few months on that whole question of the revision of The Bank Act, to make certain that the Ontario position is put clearly before the federal government and to militate and to assist the credit union movement from having any unnecessary burden imposed upon them because of those proposed amendments to The Bank Act.

I have here, and I'm sure the minister has seen it, the response of the National Association of Canadian Credit Unions to the federal white paper. They do make two or three very clear points. One is they want to make certain that they remain under provincial jurisdiction and that there's no entrenching or attempt by the federal government, in the course of the amendments to The Bank Act, to destroy in any way the solid basis in provincial jurisdiction which the credit union movement has. The credit union movement wants to become a part of a national clearing scheme for payment purposes; that's very clear. I think that is one of the major advances which may come about for the credit union movement, to be part of the national clearing system rather than to have that clearing system basically at the present time limited to the chartered banks and those who have traditionally been able to clear their payments through the clearing house system of the chartered banks.

The desire, however, of the government to appear to want to involve the credit unions as financial institutions within the monetary policy of the federal government is the point and the clear area where the credit union movement feels very strongly. At the present time, the proposal is that they must maintain reserves with the Bank of Canada of some two per cent of their assets for the purpose of ensuring the stability of the monetary system. The response of the National Association of Canadian Credit Unions indicates that that burden of \$40 million in idle balances would be a burden which would seriously impinge upon the capacity of the credit union movement to engage competitively in providing the services on the local and community basis that they do with the other financial institutions, be they other near banks or with the chartered banks.

I think it's an area where the government of the province of Ontario has got to be in a position to assist the credit union movement in ensuring that there is no unnecessary burden placed in the way of the credit union



movement being able to continue to expand and to deliver the services to the community which they presently deliver.

My own particular concern is that we do now recognize that the credit union movement as such has become an integral part of the financial institutions of the province. Indeed, the expansion of the credit union movement which dated for practical purposes from 1940 to 1976 has been nothing short of phenomenal. I think that all of us recognize that they do play an immensely significant role in the life of the ordinary citizen of the province. As the minister said, some two million people in the province may very well be participants in the credit union operations throughout the province, both with respect to the provision of consumer credit, and with respect to the provision of mortgage loans.

The statistics show and the charts show and the graphs show that in the 10-year period from 1967 to the present time—or just about a 10-year period—that the actual growth rate of the assets of the credit union movement, if charted on the basis of 100 in 1967, would be today in the neighbourhood of well over 450, which would be the largest acceleration of expansion of assets of any of the financial institutions, including the trust companies and the banks and the other near-bank institutions which operate in Canada, and of course a good part of that growth took place in the province of Ontario.

One of the other areas which I think was of immense concern to us in the select committee dealing with this area and, subsequent to this particular report in 1969 with the co-operative movement, was to be able, in a financial environment and in a business-environment so largely dominated by the share capital organization of the traditional business corporation, to maintain in some sure and effective way the co-operative ethic. That ethic, because of the demands of size for economy and efficiency of operation, has been in many areas in the co-operative movement lessened in the way in which it infuses the operation of the credit union movement and of the co-operative movement.

I recognize that those persons who are devoted to the credit union movement spend a great deal of their time in educational programmes and other programmes designed to reinforce and to strengthen that co-operative ethic. It does seem to me that, when all of this legislation is passed, when the new framework for the credit union movement is established, when the consulta-

tion which has finally taken place has resulted in a statute which is acceptable to the credit union movement and acceptable to the government and acceptable to the Legislature, we must still—as we tried to say in both the report on co-operatives and in the report on credit unions—do a great deal to ensure the democratic control inherent in the co-operative ethic on the basis of one person, one vote, with no relationship whatsoever to the particular share investment or other investment which a particular member might have. How to retain that kind of democratic response, both through the committees which are provided—the credit committees and the supervisory committees—the structure of the credit union movement must of necessity be one of the main purposes that within the dry bones of a statute such as this should infuse the spirit of the ministry in ensuring that to the extent possible that co-operative ethic is maintained in an otherwise extremely competitive society.

I would appreciate it if the minister would, in the course of his remarks, comment about any study which his ministry has done, even in a preliminary way, about the impact of the government of Canada white paper related to the banking system in the country; what role it intends to play in reinforcing the legitimate positions of the credit union movement to make certain that its position as a provincial institution is respected; and at the same time to make certain that no further burden is imposed upon it other than is necessary under the federal jurisdiction of the government of Canada to ensure that there will be a stable and nationwide financial system under the government of Canada and under the Bank of Canada.

Within those limits we are dealing with a very fragile form of financial institution if the competitive capacity of that institution—the credit union movement as a whole—if the balance of that is tipped away from its capacity to compete with the other institutions. I'm suggesting to the minister that when all is said and done, and all of the provisions of the statute are passed into law, the remaining problem will be the way in which the government can assist the credit union movement in its negotiations with the government of Canada, in its appearances before the standing committees of the House of Commons and of the Senate on the revisions to The Bank Act, to make certain that the competitive position of the institution, of the credit union, is maintained in the province in an atmosphere, in a framework,



which will permit it to expand and develop in the way in which it has done in the last 25 years and particularly within the last 10 years when its growth has been quite explosive.

I think all of us who have now had connections with the credit union movement in the work of the development of this bill—even though it has taken a long time—have come out of the experience with an immense sense of respect for those who are in charge of the credit union movement; the dedication which they have to the co-operative ethic in the otherwise competitive society in which we live; and the care and attention which they have taken to ensure that no particular credit union would get into the kind of serious financial difficulty which might reflect in any way upon the financial stability of the credit union movement as a whole; and of the apprehension of the public of the security of the credit union movement.

There has been, as the minister is well aware, a number of consolidations, a number of absorptions one way or another, of credit unions which have run into difficulty. That, of course, has been for the purpose of ensuring that the stability of the overall credit union movement is enhanced, I have never clearly understood what is, if I may use a dreadful term, the so-called interface between The Canadian Credit Societies Act—or whatever the appropriate title for that Act is—and the credit union movement in the province of Ontario.

Somewhere along the line, some day, perhaps the minister will explain to me why there are these parallel statutes at the federal level and at the provincial level which appear to me perhaps to be an unnecessary exacerbation in the work of the credit union movement. I don't understand—and even during the time of the select committee never did clearly understand—what the relationship between the federal legislation, apart from the banking system, was to the provincial legislation dealing with these co-operative credit societies or credit unions as we know them.

I did notice that one of the matters we were concerned about was the relatively small number but very substantial size of those credit unions which didn't choose to belong to the Ontario Credit Union League or to either of the two federations of Caisses Populaires in the province of Ontario. We were very concerned and we looked very carefully at the problem as to whether or not we should require them to become members

of one of the leagues. In trying to weigh, as a judgemental value, what our position would be the committee felt we shouldn't force any particular credit union to become a member of a particular league unless it chose to do so itself, provided that the provincial legislation was sufficient to ensure, by inspection and other mechanisms, that no one of those credit unions that didn't have the support of league membership would get into financial difficulties.

[5:30]

I notice now, of course, that if the Canadian Payments Association is implemented, one of the terms—so the white paper says—is that every credit union is going to have to become a member of presumably one of the leagues in the province of Ontario before it can participate in the Canadian Payments Association. I would be somewhat concerned as to what the minister's response would be to have the federal legislation require the kind of compulsory membership in a league system of those credit unions which have chosen up to now to remain independent, and what his concern would be if federal legislation requires what we certainly felt from a provincial point of view was not a necessary requirement for the security of those persons who were dealing with, I think at that time, some 34 independent credit unions.

Those are the major points. I am quite certain that as we go through the bill, clause by clause, in committee and have the benefit of the comments of the ministry officials and the persons involved in the credit union movement of Ontario, I think we will come out of it with a very fine bill. I do hope that, somehow or other, the delay in the government's bringing forward the legislation to the point where it could be passed will not deter the government from taking a very cold, hard look at the impact of the white paper and the proposed revisions to The Bank Act on the credit union movement insofar as its competitive capacity on a local basis for the people in the various communities across the province is concerned, so that we can be certain that the very real benefits of the existence of those credit unions scattered across the province to the variety and stability of the life of the province will be maintained. I am very much concerned the government has a significant role to play in ensuring that that competitive position and the place of the credit union movement in Ontario are preserved and its capacity for development enhanced.

**Mr. Nixon:** I wanted to join in this debate simply to give every encouragement to the minister and to the other members of the House to work in support of amendments and changes in regulations which will encourage and enhance the usefulness and the impact of the credit union movement in the province.

The minister in his opening remarks to second reading said he didn't feel that all the members were aware of the importance that the credit union movement has now. Well, coming from a rural community I am very much aware of it. I must admit that I still keep my savings, such as they are, with the Bank of Montreal,

**Mr. Warner:** Ah, Bob. Shame!

**Mr. Nixon:** But having declared that as perhaps a conflict of interest I would say that I was deeply disappointed when I read the reviews of the federal provisions having to do with the amendments to The Bank Act which the government of Canada brings forward on a regular-five-year basis?

**Mr. Samis:** Ten.

**Mr. Nixon:** Ten-year basis. Because I felt that the government missed an opportunity to bring more or less into modern focus the importance of the credit institutions or the banks particularly in Canada. Over more than a century the banks as they are presently chartered have had the advantages of legislation which in my view restricted competition and gave them the opportunity to grow without the bounds that one would normally have expected in the absence of the kind of competition you find, let's say, in the United States and perhaps in other jurisdictions.

**Mr. Samis:** Dead on!

**Mr. Nixon:** So I felt disappointed when I read the experts' reviews and accounts of the amendments proposed by the government of Canada. As a matter of fact, the Prime Minister had made some rather interesting extemporaneous comments about the banks before the amendments had been introduced and I had the feeling that perhaps we were going to be treated to more far-reaching amendments than were the case when they finally saw the light of day.

I am not too sure who had the moderating influence on the views that the Prime Minister had expressed personally, but of course from my point of view there is very little, if anything, he does that's wrong, and

it must be the fault of his advisers, both past and present.

I feel also that the minister has been able to slide out from a rather serious load of blame, if not almost an indictment on the inaction of the ministry and his predecessor in connection with credit unions. He made reference to his predecessor and I was hard pressed to know who he was referring to, unless it was Mr. Winkler, because he's had so many predecessors who have all fiddled and diddled around with the credit union legislation without ever coming to grips with it. Trying to determine the sense of what their friends in the world of high finance were going to insist upon and perhaps what was the least the credit unions would accept under these circumstances.

I believe the minister was one of the ones who was most surprised at the influence of the credit union movement in this province. He may have felt that it was possible for him to come forward with that bag full of amendments we were treated to previously in which he was proposing to take over the deposit insurance function and the funds of the credit union which they had built up for that purpose. He was soon set straight in that regard and we haven't really seen the amendments until these were put before us after such a long delay.

So I would say to you, Mr. Speaker, it certainly is to the benefit of us all, and to the credit of the credit unions, that they were able to educate this minister while he was still in the capacity which he now enjoys so that re-education perhaps of one of his successors before the government changes would not be necessary.

I can remember also—and this goes back quite a time; I think the hon. member for Riverdale (Mr. Renwick) would remember it very clearly—when the government was faced with the problems in another group of financial institutions, the trust companies. In those days really it was frightening when the trust companies, acting under provincial charter, got into such serious difficulties. The Atlantic Acceptance case was the one probably that impressed us most directly, but British Mortgage and certain other institutions experienced a tremendous series of fiscal accidents which just shook the financial community here and across Canada and, as the minister must surely know, internationally.

I can remember the government of the day bringing in a very hasty bill indeed establishing deposit insurance at the provincial level. Although the bill was proclaimed,



I believe, we did not have to use it because the government of Canada, which had a fully evolved deposit insurance mechanism for banks, moved into the area on agreement with this province to save this province and this government from the continuing series of fiscal blows and, in my view, serious political embarrassment associated with them.

I can remember certainly the day in which the hon. member of Riverdale undertook to review the whole situation and had a number of his relatives in the galleries. They filled all the galleries, as I recall, as he undertook to persuade the government to do something for these good people. Perhaps they were more than relatives. There might have been others who had invested—

**Mr. Renwick:** All friends.

**Mr. Nixon:** —funds in Atlantic Acceptance. Even before I was a member of this House I remember my father, the previous member for Brant, saying, "Well, you know, what can you expect? They had invested their money at seven per cent, and anybody who expects seven per cent return has got to be prepared to take a tremendous risk." It's an indication of how times pass.

**Hon. Mr. Handleman:** It was nine per cent.

**Mr. Ruston:** Ray says it was 3½ per cent.

**Mr. Nixon:** Yes, 3½ per cent—or if you bought Hydro bonds I think it was 3¼ per cent, because of course they were guaranteed by the province of Ontario itself. Now Hydro has to pay 10½ per cent, even with the provincial guarantee, to get the kinds of moneys they require amounting now to a provincial liability of over \$5 billion. I think that's another subject however, Mr. Speaker, and I would simply conclude my remarks by saying that I am very much in favour of legislation which will improve the position of credit unions and caisses populaires in the financial work of this province and in the supporting of the individual in the communities, rural and otherwise, who have learned to have such a high degree of confidence in the credit unions.

I think one of the things that must instil the confidence in some of the areas that I am familiar with is that in order to do business with them you do not have to go into the largest and most expensive monument to the fiscal system that you can find in the community. I am often absolutely astounded when I go into downtown Toronto and see what the credit of our banking system has

built and wrought in this city. It just appals me that the repositories of that much credit are vying with each other in the way the rulers of Egypt used to vie millenia ago. Before I am carried away with some of my more populist approaches in these matters, I would simply say that the amendments which are designed to improve the positions of the credit unions are eminently supportable and I look forward to hearing the views of those people directly involved in it when they appear before the standing committee.

**Mr. Shore:** Mr. Speaker, it is indeed a pleasure to me to share with my colleague in this debate.

**Mr. Sweeney:** Which ones?

**Mr. Shore:** Those who are still my colleagues, I assume you are still a member of the House.

**Mr. Nixon:** All your friends anyway. If you are lonely over there, let us know.

**Mr. Shore:** I am particularly pleased, Mr. Speaker, to speak in favour of the principle of this bill. I am particularly pleased to see the rationale of why I am supporting this and why others—I don't think this type of bill will divide the House, will it?

**Mr. R. S. Smith:** It might do.

**Mr. Roy:** Wouldn't want to rely on your political judgement, you know.

**Mr. Shore:** However, the prime reason that I believe this bill is supportive and I think that congratulations should be given to the minister and the government for bringing it forward and despite what some have said that it has taken some time, it is always a great pleasure no matter how much time it has taken to see a good bill come forward.

**Mr. Sweeney:** When you say it, it comes out different, Marv.

**Mr. Shore:** I am particularly pleased, as I say, for the following reasons, one of them being that it is an independent bill. It supports self reliance and it supports competition, and there are some on the other side of the House that I think once they review this a little more they may take another look at it, but it does do that and I think that we should be pleased at it. I am particularly pleased also that it's being received through public participation and the government in many instances has not always taken the confidence of the public into their public participation, but I must suggest to you that I think they

should be congratulated and I am pleased to say that they have. I was particularly pleased to see—

**Mr. Nixon:** Move that man down one row.

**Mr. Shore:** Thank you very much.

**Mr. Roy:** Any further promotion, Marv, and you will be up in the gallery.

**Mr. Shore:** That's right. That's right.

**Mr. Sweeney:** Especially the public of London North.

**Mr. Shore:** Well, speaking of the public of London North, I have a lot of confidence that they will recognize a hard-working member when the time comes, without reading the polls incidentally, without reading the polls.

**Mr. Worton:** Where there's life, there's hope.

**Mr. Shore:** That's right. Good hard work usually succeeds. I would say this, Mr. Speaker, that the minister should further be congratulated in the sense that hopefully this bill will be legislated in this term because it's necessary. When I first heard of this bill, I took it upon myself, thinking of the people of London North and London, to try to find out a little bit about the movement of the credit union—

Interjection.

**Mr. Shore:** —and I found, coming from an urban riding as a matter of fact, not from a rural riding, that there was at least eight to 10 credit union associations in London with memberships of upwards of probably 3,000 to 4,000 people, and I am particularly pleased to speak in favour of this in principle representing those people. I am intending to contact as many of the officials of associations to see if they have any suggestions or improvements that might be made.

In conclusion, I think the minister and my colleagues should be congratulated for bringing this forward. I think it's a step in the right direction for the improvement of competition and independence.

[5:45]

**Mr. Samis:** Like the previous speakers, especially my colleagues from Riverdale (Mr. Renwick) and Brant-Oxford-Norfolk (Mr. Nixon), I welcome this bill. The effect of a conversion has strange results sometimes and I congratulate the member for London North for at least joining us in support of the bill.

**Mr. Sweeney:** You are next.

**Mr. Samis:** Far from it. My main reason for supporting the bill is the effect it's going to have on our financial system not only in Ontario but, I think, in Canada. I think the most charitable description one could give of our banking system in this country in terms of its structure is that it's been a tight-knit cartel and very oligopolistic in its whole tenor, structure and outlook. If we compare the banking system in Canada with that of the United States very obviously there has been a lack of competition and, belatedly, even the federal government has recognized that. Ten years ago, it made a few very cautious steps toward the overall goal of a competitive financial system and obviously there are going to be a few small steps made in the next session of the federal parliament.

I welcome this bill because I think that in the central province of our confederation a strong competitive financial system within the provincial jurisdiction is essential. I think the value of credit unions is that in the sort of system which is really controlled by high finance, by international moguls and people with little contact with the daily lives of the average citizens, the credit unions represent grassroots alternatives to the high finance system and the banks which are the representation of that.

In many communities, coming from an industrial community, the only alternative really for an individual, especially a working person looking for consumer credit or limited credit, is the finance company. I can think of very few institutions in our society which are more rapacious, if not exploitive, of working people and poor people than our finance companies which are tolerated and fostered by the federal finance system. If we look at the advertising we see for this alternative to credit unions on television, radio, the different ads for some of these finance companies and how they seduce people into indebtedness at extortionate rates, it's really obscene in some cases how this is allowed or tolerated.

The advent of this bill, the strengthening of the credit union sector as an alternative at the local level for people looking for consumer credit, is extremely welcome. In my particular community, the credit unions showed their worth. As members recall we had a lengthy strike in the pulp and paper industry and when people had depleted their savings; when the banks were unwilling to extend credit; when the finance companies were either unwilling or willing to exploit it to their own advantage, the one segment in



the financial system which came to the aid of the workers and their families was the local credit union.

I think that stands as a testimony to their value not only in my community but I am sure in communities all across this province. It is the sole segment of the financial system in which the consumer and the average person has any say, any degree of influence, on how the financial system operates.

I welcome this principle to give the credit unions not only greater competitiveness, greater security, but also greater scope in which to invest their funds and to operate and to provide greater security for the depositors.

Like my colleague from Riverdale, I am concerned that on the subject of the amendments to the federal banking legislation the provincial government will make strong representations because this bill makes significant progress for Ontario but unless it is done in conjunction with significant progress in the federal legislation its impact will be seriously lessened. I would really hope that this government would see fit to make strong representations to the federal minister to make sure that there is parallel progress in the federal legislation. Otherwise, this legislation will only have limited value.

**Mr. Roy:** I want to join briefly in the debate on this bill and support some of the statements made by some of my colleagues. I get a kick out of the member for London North (Mr. Shore). I think I am being prevailed upon to say something. As I recall, last time he spoke he was not quite as enthusiastic about a government programme as on this occasion. If the member had followed the tortuous path of this legislation as many of us have—my colleague from Brant, the member for Riverdale—and seen some of the original approaches proposed by the government, you would see that the congratulations that you're throwing—those flowery approaches to your minister—were not all that well deserved. Your minister has taken an open-minded approach and the government had backed off—

**Mr. Deputy Speaker:** Will the hon. member address his remarks to the Chair, please?

**Mr. Roy:** Yes, yes I will. Thank you, Mr. Speaker. Actually I prefer looking in that direction in any event.

**Mr. Deputy Speaker:** I thought you would.

**Mr. Roy:** I was going to say, Mr. Speaker, that the credit unions, the caisses populaires

and the independents have put tremendous pressure on the ministry and have convinced the government. I recall going to a meeting in Ottawa that the minister attended and made a proposal at that time. I still recall—

**Mr. Nixon:** It was a restricted meeting.

**Mr. Roy:** I wasn't invited, I sort of walked in.

**Mr. Nixon:** I don't think he asked any of the other members to go.

**Hon. Mr. Davis:** I saw you at a couple of meetings where you weren't invited.

**Mr. Nixon:** At least yours were public and you had to get a crowd.

**Mr. Roy:** I was not invited, so I walked in. I thought I'd listen to what the credit unions and the caisses populaires had to say. The feathers were flying—were they not, Sid?—by the end of the evening. My God, the people there expressed their opinion in no uncertain terms. I recall that the minister at that time was less experienced, more abrasive. He was going to push it through, Mr. Speaker.

**Mr. Nixon:** He's a smoothy now.

**Mr. Roy:** But I notice we didn't see the legislation. Yet lo and behold, here we have it now under a different form. So I think, Mr. Speaker, of the member for London North. I suggest a certain amount of caution about his enthusiasm. He should learn more about the history of the legislation before he lets his enthusiasm get away.

**Mr. Nixon:** Old Marv was an overnight hit.

**Mr. Roy:** Mr. Speaker, I want to express one concern which I think I expressed to the minister at that time. I'm looking at the legislation and I don't see it covered as well as I would have hoped it would have been. Possibly you have amendments. It's the matter that deals with the conflicts of interest by directors or officers of these credit unions or caisses populaires. I want to say to my colleagues there are members of the real estate profession, there are people who sell insurance, why in fact, Mr. Speaker, there are even members of the legal profession who get involved in conflicts of interest—

**Mr. Nixon:** Oh, surely not.

**Mr. Roy:** Very often their sole purpose in becoming officers or directors is to sort of

channel business, through mortgages or otherwise, in their direction.

**Mr. Moffatt:** The Liberal Party knows a little about that.

**Mr. Roy:** I don't know about the members to my right, but as Liberals we find that extremely offensive. I would hope, Mr. Speaker, that the minister will be proposing amendments. I was talking to some people from the caisse populaire movement who are proposing some legislation about directors not acting on behalf of these credit unions—

**Hon. Mr. Handleman:** It's in there now.

**Mr. Roy:** If it is you're going to have to point out the section, because I don't see it covered as adequately as it should be. I say, Mr. Speaker, these credit unions, these caisses populaires, are set up for the benefit of the members and not for the benefit of certain individuals who are in fact enriching themselves. Some of the business that some of these people do is very lucrative. We've estimated in one caisse populaire in Ottawa that there's one particular lawyer who's probably making over \$250,000 a year just out of commissions from the mortgage work he does for the caisse populaire.

**Hon. Mr. Handleman:** Why don't you take it up with the bar association?

**Mr. Roy:** The minister says take it up with the bar association. I say to him it's not up to the bar association. We've got an occasion here to correct this. I think that if we're taking the approach where we're tightening up the legislation—where we're taking steps at least to establish certain guidelines as to what credit unions can do—I think that we should deal with the problem and I think we should stop that.

Possibly I've not read the legislation adequately, but it seems to me that the similar type of legislation you have for auditors should be for officers as well. That is, they're officers of these credit unions, Mr. Speaker, but they should not act on their behalf. The sole purpose of many of these people who run for boards or for officers or directors of these credit unions is so that they can get insurance business or real estate business or legal business. I think that's improper.

**Mr. Cunningham:** And the accountants.

**Mr. Roy:** The accountants are in it as well.

**Mr. Nixon:** Oh, boy, are they in it.

**Mr. Roy:** As I say, Mr. Speaker, that is hopefully something we might see in the

legislation. I know it's tough to plug up the hole completely. I realize that the minister has had some discussions with the credit unions or the caisses populaires about this problem, but I did want to take an opportunity to express that point of view.

**Mr. Deputy Speaker:** Does any other member wish to speak to this bill? If not, the hon. minister.

**Mr. McClellan:** Very briefly, I echo again the support of our caucus for the principle of the bill. We welcome what has been described by one person I talked to as the coming of age of the credit union movement in this province. I think it's probably more accurate to say that the chains and fetters that have bound the credit union and the co-operative movement for so long in this province have finally been loosened and that we hope that with the loosening of these chains and the unhamstringing of the credit union movement, that the co-operative movement in this province can begin to take its rightful place in the economy.

I travelled a little bit this summer. I didn't travel overseas, I travelled to Canada, but I think I learned something even there. I went to Acadia and had the opportunity to look at the co-operative movement in New Brunswick. I saw a co-operative food distribution system that was integrated from warehousing to packaging to distribution to the inclusion of brand products under the co-operative movement.

In every town of significant size in Acadia, in New Brunswick, there was a co-op super-market of a size and quality that would rival anything that we have in this province, with one difference—that the principle of gouging profit was absent and the enterprise was run by the members themselves for the benefit of themselves, their families and their own communities on the basis of the principle of co-operation, not on the basis of gouging and not on the basis of the principle of the power of wealth to increase its own wealth, but on the co-operative principle of one man, one vote and on the principle of sharing together to meet basic needs of individuals, families and communities.

We hope most sincerely that the legislation which has given to the credit union movement the capacity to operate as a full-scale institution in a modern economy will have the effect of stimulating the growth and development of the broader co-operative movement in this province and that we will begin to see the possibility for the first time in Ontario of



the development of alternatives to corporate gouging in the provision of food and alternatives to the corporate gouging in the provision of housing, an alternative based on the principle that it is possible to order a society on the principles of co-operation.

**Mr. Deputy Speaker:** It is my understanding that we will continue on with this bill at 8 o'clock.

**Hon. Mr. Welch:** Mr. Speaker, may I take this chance just to advise the members of the House that we are planning to go on with

this bill at 8 o'clock, as you have indicated, following which we will have some budget debate. There's a chance there may be an early adjournment tonight, depending on the number of budget speakers.

Two committees meet tonight, however. Justice and resources development are meeting at 8 o'clock. The order with respect to interim supply will appear on the order paper tomorrow in order that we can take that into consideration on Thursday afternoon.

The House recessed at 6 p.m.

## APPENDIX A

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(125 members)

Third Session of the 30th Parliament

Speaker: Hon. Russell Daniel Rowe

Clerk of the House: Roderick Lewis, QC

Member	Constituency	Party
Angus, I. ....	Fort William .....	NDP
Auld, Hon. J.A.C. ....	Leeds .....	PC
Bain, R. ....	Timiskaming .....	NDP
Belanger, J. A. ....	Prescott and Russell .....	PC
Bennett, Hon. C. ....	Ottawa South .....	PC
Bernier, Hon. L. ....	Kenora .....	PC
Birch, Hon. M. ....	Scarborough East .....	PC
Bounsall, E. J. ....	Windsor-Sandwich .....	NDP
Breaugh, M. ....	Oshawa .....	NDP
Breithaupt, J. R. ....	Kitchener .....	L
Brunelle, Hon. R. ....	Cochrane North .....	PC
Bullbrook, J. E. ....	Sarnia .....	L
Burr, F. A. ....	Windsor-Riverside .....	NDP
Bryden, M. ....	Beaches-Woodbine .....	NDP
Campbell, M. ....	St. George .....	L
Cassidy, M. ....	Ottawa Centre .....	NDP
Conway, S. ...	Renfrew North .....	L
Cunningham, E. ....	Wentworth North .....	L
Davidson, M. ....	Cambridge .....	NDP
Davis, Hon. W. G. ....	Brampton .....	PC
Davison, M. ....	Hamilton Centre .....	NDP
Deans, I. ....	Wentworth .....	NDP
di Santo, O. ....	Downsview .....	NDP
Drea, F. ....	Scarborough Centre .....	PC
Dukszta, J. ....	Parkdale .....	NDP
Eakins, J. ....	Victoria-Haliburton .....	L
Eaton, R. G. ....	Middlesex .....	PC
Edighoffer, H. ....	Perth .....	L
Evans, D. A. ....	Simcoe Centre .....	PC
Ferrier, W. ....	Cochrane South .....	NDP
Ferris, J. P. ....	London South .....	L
Foulds, J. F. ....	Port Arthur .....	NDP
Gaunt, M. ....	Huron-Bruce .....	L
Germa, M. C. ....	Sudbury .....	NDP
Gigantes, E. ....	Carleton East .....	NDP
Givens, P. G. ....	Armourdale .....	L
Godfrey, C. ....	Durham West .....	NDP
Good, E.R. ....	Waterloo North .....	L
Grande, A. ....	Oakwood .....	NDP
Gregory, M. E. C. ....	Mississauga East .....	PC
Grossman, L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L
Handleman, Hon. S. B. ....	Carleton .....	PC



Member	Constituency	Party
Henderson, Hon. L. C .....	Lambton .....	PC
Hodgson, W. ....	York North .....	PC
Irvine, Hon. D. R. ....	Carleton-Grenville .....	PC
Johnson, J. ....	Wellington-Dufferin-Peel .....	PC
Johnston, R. M. ....	St. Catharines .....	PC
Jones, T. ....	Mississauga North .....	PC
Kennedy, R. D. ....	Mississauga South .....	PC
Kerr, Hon. G. A. ....	Burlington South .....	PC
Kerrio, V. ....	Niagara Falls .....	L
Lane, J. ....	Algoma-Manitoulin .....	PC
Laughren, F. ....	Nickel Belt .....	NDP
Lawlor, P. D. ....	Lakeshore .....	NDP
Leluk, N.G. ....	York West .....	PC
Lewis, S. ....	Scarborough West .....	NDP
Lupusella, A. ....	Dovercourt .....	NDP
MacBeth, Hon. J. P. ....	Humber .....	PC
MacDonald, D. C. ....	York South .....	NDP
Mackenzie, R. ....	Hamilton East .....	NDP
Maeck, L. ....	Parry Sound .....	PC
Makarchuk, M. ....	Brantford .....	NDP
Mancini, R. ....	Essex South .....	L
Martel, E. W. ....	Sudbury East .....	NDP
McCague, G. ....	Dufferin-Simcoe .....	PC
McClellan, R. ....	Bellwoods .....	NDP
McEwen, J. E. ....	Frontenac-Addington .....	L
McKeough, Hon. W. D. ....	Chatham-Kent .....	PC
McKessock, R. ....	Grey .....	L
McMurtry, Hon. R. ....	Eglinton .....	PC
McNeil, R. K. ....	Elgin .....	PC
Meen, Hon. A. K. ....	York East .....	PC
Miller, Hon. F. S. ....	Muskoka .....	PC
Miller, G. I. ....	Haldimand-Norfolk .....	L
Moffatt, D. ....	Durham East .....	NDP
Morrow, D. H. ....	Ottawa West .....	PC
Newman, B. ....	Windsor-Walkerville .....	L
Newman, Hon. W. ....	Durham-York .....	PC
Nixon, R. F. ....	Brant-Oxford-Norfolk .....	L
Norton, K. ....	Kingston and the Islands .....	PC
O'Neil, H. ....	Quinte .....	L
Parrott, Hon. H. C. ....	Oxford .....	PC
Peterson, D. ....	London Centre .....	L
Philip, E. ....	Etobicoke .....	NDP
Reed, J. ....	Halton-Burlington .....	L
Reid, T. P. ....	Rainy River .....	L
Renwick, J. A. ....	Riverdale .....	NDP
Rhodes, Hon. J. R. ....	Sault Ste. Marie .....	PC
Riddell, J. ....	Huron-Middlesex .....	L
Rollins, C. T. ....	Hastings-Peterborough .....	PC
Rowe, Hon. R. D. ....	Northumberland .....	PC
Roy, A. J. ....	Ottawa East .....	L
Ruston, R. F. ....	Essex North .....	L
Samis, G. ....	Cornwall .....	NDP
Sandeman, G. ....	Peterborough .....	NDP

Member	Constituency	Party
Sargent, E. ....	Grey-Bruce .....	L
Scrivener, Hon. M. ....	St. David .....	PC
Shore, M. ....	London North .....	PC
Singer, V. M. ....	Wilson Heights .....	L
Smith, G. E. ....	Simcoe East .....	PC
Smith, Hon. J. R. ....	Hamilton Mountain .....	PC
Smith, R. S. ....	Nipissing .....	L
Smith, S. ....	Hamilton West .....	L
Snow, Hon. J. W. ....	Oakville .....	PC
Spence, J. P. ....	Kent-Elgin .....	L
Stephenson, Hon. B. ....	York Mills .....	PC
Stokes, J. E. ....	Lake Nipigon .....	NDP
Stong, A. ....	York Centre .....	L
Swart, M. ....	Welland-Thorold .....	NDP
Sweeney, J. ....	Kitchener-Wilmot .....	L
Taylor, Hon. J. A. ....	Prince Edward-Lennox .....	PC
Timbrell, Hon. D. R. ....	Don Mills .....	PC
Villeneuve, O. F. ....	Stormont-Dundas-Glengarry ....	PC
Warner, D. ....	Scarborough-Ellesmere .....	NDP
Welch, Hon. R. ....	Brock .....	PC
Wells, Hon. T. L. ....	Scarborough North .....	PC
Wildman, B. ....	Algoma .....	NDP
Williams, J. ....	Oriole .....	PC
Wiseman, D. J. ....	Lanark .....	PC
Worton, H. ....	Wellington South .....	L
Yakabuski, P. J. ....	Renfrew South .....	PC
Young, F. ....	Yorkview .....	NDP
Ziemba, E. ....	High Park-Swansea .....	NDP



## MEMBERS OF THE EXECUTIVE COUNCIL

Hon. W. G. Davis .....	Premier
Hon. R. Welch .....	Minister of Culture and Recreation
Hon. J. A. C. Auld .....	Chairman, Management Board of Cabinet
Hon. R. Brunelle .....	Minister without Portfolio and Chairman of Cabinet
Hon. T. L. Wells .....	Minister of Education
Hon. G. A. Kerr .....	Minister of the Environment
Hon. L. Bernier .....	Minister of Natural Resources
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Industry and Tourism
Hon. W. D. McKeough .....	Treasurer, Minister of Economics and Intergovernmental Affairs
Hon. A. K. Meen .....	Minister of Revenue
Hon. W. Newman .....	Minister of Agriculture and Food
Hon. S. B. Handleman .....	Minister of Consumer and Commercial Relations
Hon. F. S. Miller .....	Minister of Health
Hon. J. R. Rhodes .....	Minister of Housing
Hon. D. R. Irvine .....	Provincial Secretary for Resources Development
Hon. D. R. Timbrell .....	Minister of Energy
Hon. J. P. MacBeth .....	Provincial Secretary for Justice and Solicitor General
Hon. J. R. Smith .....	Minister of Correctional Services
Hon. M. Scrivener .....	Minister of Government Services
Hon. H. C. Parrott .....	Minister of Colleges and Universities
Hon. J. A. Taylor .....	Minister of Community and Social Services
Hon. B. Stephenson .....	Minister of Labour
Hon. R. McMurtry .....	Attorney General
Hon. L. C. Henderson .....	Minister without Portfolio

## PARLIAMENTARY ASSISTANTS

Mr. F. Drea .....	Assistant to the Minister of Consumer and Commercial Relations
Mr. R. G. Eaton .....	Assistant to the Minister of Agriculture and Food
Mr. L. Grossman .....	Assistant to the Attorney General
Mr. W. Hodgson .....	Assistant to the Minister of Housing
Mr. T. Jones .....	Assistant to the Provincial Secretary for Social Development
Mr. R. D. Kennedy .....	Assistant to the Minister of Education
Mr. J. Lane .....	Assistant to the Minister of Transportation and Communications
Mr. N. G. Leluk .....	Assistant to the Minister of Culture and Recreation
Mr. K. Norton .....	Assistant to the Treasurer and Minister of Economics and Intergovernmental Affairs
Mr. D. J. Wiseman .....	Assistant to the Minister of Health
Mr. P. J. Yakabuski .....	Assistant to the Minister of Natural Resources

## APPENDIX B

(See page 4125.)

Answers to written questions were tabled as follows:

58. Mr. Haggerty—Inquiry of the ministry: Will the minister table all grant allocations to the governing bodies of the sports and fitness division for the years 1975 and 1976, such as the Ontario Softball Association and other organized sports?

Answer by the Minister of Culture and Recreation:

Please find attached the requested list of sports governing bodies and grants paid to them from the regular programmes and the Olympic Lottery as per our records for the fiscal year 1975-76.

	Regular Programme	Olympic Lottery
	\$	\$
Archery .....	14,183.00	4,575.12
Badminton .....	52,800.85	26,753.02
Ball Hockey .....	—	—
Baseball .....	750.00	5,487.60
Basketball .....	8,354.00	18,420.00
Bob Sled & Luge .....	—	—
Bowling .....	39,203.40	—
Men's Lawn Bowling .....	2,720.00	—
Women's Lawn Bowling .....	—	—
Broomball .....	—	7,072.64
Ontario Boxing .....	3,500.00	2,127.33
Canadian Amateur Boxing .....	1,144.00	7,871.05
Canoe Ontario .....	27,273.18	33,358.89
Cricket .....	14,038.00	5,236.60
Men's Curling .....	11,911.00	12,402.00
Women's Curling .....	2,300.00	—
Cycling .....	41,839.50	7,129.00
Canadian Amateur Diving .....	15,575.00	15,925.00
Equestrian .....	—	7,500.00
Fencing .....	2,980.00	12,829.10
Men's Field Hockey .....	1,605.00	10,265.00
Women's Field Hockey .....	29,296.62	17,091.00
Figure Skating .....	16,200.00	27,668.15
Football .....	26,670.83	59,993.50
Men's Golf .....	16,160.00	7,250.00
Ladies Golf .....	8,485.87	3,678.93
Gymnastics .....	116,625.42	28,142.19
Modern Gymnastics .....	13,301.00	23,353.00
Handball .....	—	—
Team Handball .....	16,819.00	5,650.00
Hockey — Tech .....	124,300.00	20,600.00
Hockey — Oldtimers .....	—	11,080.00
Hockey — Women .....	—	2,591.21
Indo .....	47,848.02	20,360.15
Karate .....	3,504.40	—
Lacrosse .....	105,454.20	30,503.00
Martial Arts .....	—	—
Modern Pentathlon .....	9,026.00	10,760.00
Netball .....	13,104.95	322.00
Aquatics .....	64,780.40	10,219.60
Orienteering .....	26,000.60	7,135.59
Powerlifting .....	288.90	21,696.80
Raquetball .....	—	—
Ringette .....	37,618.20	15,561.00
Rowing .....	12,075.00	122,282.93
Rugby .....	52,215.00	11,394.00



	Regular Programme \$	Olympic Lottery \$
Sailing .....	90,268.09	—
Shooters .....	—	16,139.55
Skiing .....	62,191.63	110,077.00
Soaring .....	—	—
Soccer .....	41,100.00	80,416.28
Softball .....	59,803.20	12,509.06
Solo Swims .....	10,000.00	—
Speed Skating .....	—	16,851.00
Sport Parachuting .....	7,975.00	7,725.00
Sport Therapist .....	—	—
Men's Squash .....	—	—
Women's Squash .....	6,198.14	13,302.65
Swimming .....	149,749.00	42,193.00
Synchro Swimming .....	19,545.00	16,370.85
Table Tennis .....	26,500.00	21,054.22
Tennis .....	65,595.93	7,490.00
Track & Field .....	149,048.73	78,539.64
Underwater .....	17,172.00	10,402.00
Volleyball .....	39,768.11	3,600.00
Water Polo .....	21,863.00	23,054.61
Water Skiing .....	16,500.00	36,331.11
Weightlifting .....	5,170.00	3,579.00
Wheelchair .....	5,568.00	8,284.00
Wrestling .....	21,226.10	22,108.00
	1,795,733.27	1,164,312.32
Grand Total	—	\$2,960,045.59

74. Mr. Angus—Inquiry of the ministry: Would each ministry table (a) the value of the accounts payable outstanding as of March 31, 1976 and (b) list all materials and supplies valued over \$500.00 which were requisitioned and the month in which they were requisitioned, that are included in the accounts payable that are outstanding as at March 31, 1976?

Answer to question 74 made a return. (See sessional paper 97.)

89. Mr. Angus—Inquiry of the ministry: Would the Minister of Culture and Recreation please list each application submitted to his ministry for a Wintario grant with reference to: (a) the project name; (b) community; (c) short description of the project; (d) the amount requested; (e) whether the grant was approved or disapproved; and, (f) the name of the riding receiving the grant?

90. Mr. Angus—Inquiry of the ministry: Would the Minister of Culture and Recreation please inform the House as to the percentage of time that each category of professional and office staff within his Ministry spend on processing and monitoring of Wintario programmes?

Answers by the Minister of Culture and Recreation:

89: (The requested information dealing with Wintario applications has been previously dealt with between myself and the two opposition critics of this ministry.

As previously indicated in letters to Messrs. Samis and Kerrio, I have offered to make available to them any internal records and information maintained by the ministry at its various offices.

The Ministry of Culture and Recreation does not keep summaries in the format requested, nor does it have the staff capacity to research and summarize all of the individual records and files in order to provide a detailed answer to this question. This would require the compiling of records and files on some 7,000 Wintario applications received as of June 1, 1976.

However, the requested information is available should the opposition parties wish to provide research staff who would be given access to Wintario records.

90: The percentage of time that the staff of the ministry spend on processing and monitoring of the Wintario applications varies with the responsibilities and functions of the individual staff member, whether they be professional or office staff.

There are some staff members who spend 100 per cent of their time working on Wintario. These staff members, who are relatively small in number, have been hired specifically to process the Wintario applications.

As far as the regular, non-Wintario ministry staff is concerned, we do not have specific time-work allocations for the approximately 600 staff complement of the ministry. The allocation of staff time for these staff members as far as Wintario is concerned, varies from programme area to programme area, and could range anywhere from zero to 50 per cent.

The organization of the procedures for the processing of the Wintario applications has been deliberate. Every effort has been made so that all staff have some involvement with the Wintario programme, again depending on their geographic location and professional expertise. This has been done to allow for as thorough an evaluation of the Wintario applications as can be accomplished within the time and staffing restrictions placed upon the ministry.

99. Mr. Moffatt—Inquiry of the ministry: Will the Minister of Agriculture and Food table the results and conclusions or recommendations made in a study of soils in the area of the Eldorado nuclear waste disposal site in Port Granby in the Town of Newcastle?

Answer by the Minister of Agriculture and Food:

AECB in a report released in February, 1976, pointed out that a detailed radiation survey was carried out at the Port Granby residue area to determine the extent of the contaminated area at the lakeshore where the West Gorge stream meets the beach. Approximately 500 cubic yards of soil were removed from the beach to the top of the bluffs. As a result, the maximum exposure rate at the boundary fence at the Port Granby residue area, measured by AECB staff, has been reduced from 0.9 mR/h (millirad/hour) to 0.020 mR/h (permissible rate 0.060 mR/h). MOE had no involvement in this survey.

113. Mrs. Campbell—Inquiry of the ministry: Will the Minister of Health advise whether it is true that a nursing home owned by Mr. Alguire was condemned and closed down two years ago in Morrisburg? Is it a fact that Mr. R. F. Merkley, together with two doctors, Dr. Parisien and Dr. McLeod, applied for and received a permit for a 60-bed operation? Is it a fact that Mr. Alguire then decided to return to the nursing home business, applied and got a permit and that the permit was taken away from Mr. Merkley and he two doctors? Is it a fact that Alguire now cannot raise the money necessary? Did any member intercede on his behalf to get him the permit to build the second home?

Answer by the Minister of Health:

Mr. J. Alguire operated the 20-bed Alguire Treasure Island Nursing Home in Ingleside, Ontario. The owner experienced some operational problems and closed the home, voluntarily, on August 31, 1974.

Dr. Parisien, Dr. McLeod and Mr. R. Merkley never received approval for a new 60-bed nursing home. Dr. Parisien presently operates the 65-bed Parisien Manor Nursing Home which has been licensed for some time. Dr. McLeod is listed as a partner with Dr. Parisien in the operation. Our records do not show an affiliation with Mr. R. F. Merkley in this enterprise. However, there is a Mr. R. F. Merkley associated with a senior citizens group in Morrisburg called "We Care Committee" who has communicated with Mr. D. Wiseman, the Parliamentary Assistant to the Minister of Health. Mr. Alguire was granted approval to construct a 40-bed nursing home on September 26, 1974 by the ministry.

In 1975, the Ministry of Health solicited applications for a new 60-bed nursing home to be constructed in the County of Dundas where a need for new beds was deemed necessary. Mr. Alguire proposed that he would relinquish his approval for the new 40-bed facility, if he could be allowed to construct the new facility in Dundas County. This would necessitate the approval of only 20 additional beds by this ministry.

Approval was granted on December 19, 1975, to Mr. Alguire to construct the new home in Dundas County. His approval to construct the 40-bed nursing home in Ingleside was withdrawn.

Mr. Alguire has submitted plans for the new home which were reviewed by the ministry and returned to him on May 13, 1976. He is proceeding with ministry policy on the planning process and we have no reason to believe he is experiencing financial difficulties.



Since no approval had ever been granted to Dr. Parisien and associates, no withdrawal of approval has been necessary.

121. Mr. Angus—Inquiry of the ministry: Would the Minister of Government Services (a) list the names of all contractors employed to construct buildings in Northwestern Ontario, and (b) list all those contractors who built facilities for the government of Ontario and leased them to them, and (c) would the minister place a total dollar value on the projects (a) and (b) constructed by each firm?

Answer by the Minister of Government Services:

a) Contractors employed to construct buildings in northwestern Ontario:

Contractors	Number of Projects	Total of Contract Prices
A. J. Wing Construction Ltd. ....	2	\$ 562,605
Bergman Builders Ltd. ....	1	793,995
Bilideau Construction ....	1	272,000
Bob's Construction Co. Ltd. ....	1	120,900
Buset Bros. Contractors Ltd. ....	1	124,900
Gateway Building and Supply ....	3	5,629,162
Jack Anderson Construction ....	1	72,495
Sillman Company (Northern) Ltd. ....	3	3,189,006
Stead & Lindstrom Ltd. ....	2	588,750
Sub-Strata Construction Ltd. ....	1	148,159
Tom Jones & Sons ..	5	4,506,000

b) Contractors who built facilities for the government of Ontario for lease to the government of Ontario:

Contractors	Number of Projects
Dante Gasparotto .....	2
Group Buildings Systems Ltd. ....	1
Ormiston Investments .....	1
Tom Jones & Sons .....	3

Since these projects were constructed by the contractors and leased to the government of Ontario, the ministry does not have available the construction costs incurred by the contractors.

124. Mr. Angus—Inquiry of the ministry: Would the Minister of Culture and Recreation table a detailed budget of the Ontario Education Communications Authority for the fiscal years commencing in 1970 and ending with the present fiscal year, and would the minister table a list (including the value) of all productions undertaken by the O.E.C.A.?

Answer. The Minister of Culture and Recreation:

Annual reports for the Ontario Educational Communications Authority are available for the years in question.

Included in the annual reports are the financial statements of the Authority, by which their operating expenses are indicated. The Provincial Auditor audits the Ontario Educational Communications Authority annually and his statement is represented in the annual report.

Copies of these reports for 1972-73 and 1973-74 and 1974-75 are available for perusal either at the OECA offices or those of the Ministry of Culture and Recreation. However, copies of the annual reports for 1970-71 and 1971-72 are only available from the archives of OECA, but copies of the financial statements for these years are available from the ministry.

OECA's annual reports also contain lists of all productions from year to year and their value.

126. Mr. Good—Inquiry of the ministry: Will the Minister of Government Services inform this House of the number of civil servants using government credit cards, and what levels of employment do they represent? What guidelines regulate their use, and what limits are imposed, if any, as to types of service, amount of service or locations of the service

rendered? What procedures, if any, are used to verify the accounts before authorization for payment?

Answer by the Chairman, Management Board of Cabinet:  
Each ministry is responsible for its own procedures respecting the issuing and control over the use of government credit cards. However, since a payment by government credit cards results in a bill being received by the ministry, the approval and verification procedures are the same as for payments made by other means. In all cases ministries are required to adhere to the policies and directives on the control and reporting of expenditures as outlined in the Manual of Administration and the Accounting Policy Manual. All expenditures are subject to verification and approval by designated ministry officials as well as post audit review by the Provincial Auditor.

132. Mr. Cassidy—Inquiry of the ministry: What is the name, career background, and most recent employer of each of the persons appointed to the Rent Review Board in Ontario? Which of these officers, if any, own more than three rented residential dwelling units? How many appointees are women?

- Question 1: See the attached listing.  
Question 2: Mr. A. H. Macdonald owns a five-plex and rents four of these residential dwelling units. To our knowledge, no other Board member owns more than three rented residential dwelling units:  
Question 3: Twelve of the appointees are women.

RESIDENTIAL PREMISES RENT REVIEW BOARD MEMBERS

		Total number of members .....		40
		Total number of women .....		11
Location	Name		Career Background	Number of Rented Residential Dwelling Units Owned
Metro Toronto	Batchelor, Gordon T. (Vice-Chairman)	T	Retired City Clerk, Toronto; Exec. Dir., Toronto Parking Operators Assoc.	None
Eastern	Beamish, Jean M.	P	Program Assistant (Assoc. for Children with Learning Disabilities)	None
Eastern	Bower, William C.	P	Retired. Director, Property Services, Ottawa-Carleton (1972-76) Chief Assessor, Ottawa (1946-72)	None
Metro Toronto	Breckenridge, James	P	(1968-75) Managing Director & Majority Shareholder, Wellington Prod. Ltd. (1963-67) Science Research Assocs.	None
Metro Toronto	Bruce, Maxwell (Chairman)	P	Lawyer (Partner, Manning Bruce, Macdonald & Macintosh)	None
Metro Toronto	Bucknall, Brian	T	Lawyer (Professor of Law at York Univ.)	None
Metro Toronto	Burdeyney, Helen	T	Metro Tenants' Assoc.	None
Metro Toronto	Chaplin, Harold	T	Lawyer (self-employed)	None
T — Tenant Representative				
P — Public Representative				



Location	Name		Career Background	Number of Rented Residential Dwelling Units Owned
Metro Toronto	Crosby, Herbert F.	P	Municipal Planning Consultant (1975-pres.) (self-employed) Alderman, Ward 3, Scarborough (1964-74)	None
Metro Toronto	Dobbs, Frank	T	Retired Property Manager (1974-1975) Edrich Construction Co. Commercial Manager (8 years)	None
Central East	Donnell, Wallace E.	P	General Engineering Consultant (own business) (1951 — present) Gwillanbury, Donald, North Associates	None
Northeast	Dowdall, Mrs. M. K.	T	Community worker—Director March of Dimes Board (3 yrs.) Trustee for Sudbury District Roman Catholic Separate School Board in Dec., 1974 Catholic Parent-Teacher Assoc. of Ontario	None
Eastern	Drader, Mrs. E.	P	Receptionist/Secretary, Betty Davis & Associates Realities Ltd. (1974-pres.)	None
Central West	Farrugia, John	P	Lecturer on Economics Mohawk College, Life Insurance Administration	None
Southwest	Gamble, Donna M. (Vice-Chairman)	T	President, Federation of Ontario Tenants' Association	None
Southwest	Gardiner, P. R.	P	Retired owner/operator Gardiner Funeral Home (25 years); Part-time real estate sales	None
Eastern	Garrett, Mary	T	Federation of Ontario Tenants' Association	None
Metro Toronto	Goodrow, George	P	Public Relations Consultant (1968—present) (self-employed)	None
Eastern	Hargreaves, H.	T	Independent Consultant (self-employed)	None
Metro Toronto	Harriman, Anne	T	Tenants Hotline (1974—present). Finance chairperson & treasurer for Done Vale Community Centre, Member of Exec. Comm. of Fed. of Metro Tenants' Assoc. (1974-75)	None
Metro Toronto	Hogan, Mary	T	Lawyer; Parkdale Community Legal Services	None
Central West	Howe, Marvin W.	P	Retired Elementary School Teacher, Past Public School Trustee	None
Metro Toronto	Janes, Larry S.	T	Computer Analyst, Toronto-Dominion Bank (1972—pres.)	None

T — Tenant Representative

P — Public Representative

Location	Name		Career Background	Number of Rented Residential Dwelling Units Owned
Metro Toronto	Lavery, Dennis	T	Exec. Director, Fed. of Ont. Tenants' Assoc. (1975—present); Assistant Director, Community Services, Meridian Building Group	None
Metro Toronto	Lessel, Arthur	P	Sales Manager, Pre-Con Co. (1960-1975)	None
Metro Toronto	Macdonald, A. H.	P	Producton Order Processor "A", Douglas Aircraft (1969-1974); Justice of the Peace for County of York (1953-1976); Director, Metro Toronto Property Owners' Assoc.	Four
Eastern	Mallon, W. B.	T	Manager, Research, Planning & Policy Div., Staff Relations, Canada Post Office, Ottawa (1973—pres.); Personnel Manager, FORMEX Fabrics Plan (1971-73)	None
Central West	McMahon, Yvonne	T	Vice-President, Ontario Anti-Poverty Organization; Southern Zone Rep. Federated Ontario Tenants' Association	None
Central West	McMillan, John	T	Owner/Operator, Associated Services (Camera film distributor) (1975—pres.) Salesman, Automotive Hardware (1971-72).	None
Eastern	Mellow, H. G.	T	Acting Chief, Technical Services, Administration Division, Dept. of Manpower and Immigration (1971-74)	None
Eastern	Merriam, Robert	T	Operator, Real Estate Consulting (self-employed)—advise on purchases, sales, rental of commercial & residential properties (1973—present); Mortgage Manager, South Eastern Realty Investments Ltd. (1972-73)	None
Metro Toronto	Morrison, Moira	P	Public Relations Consultant (self-employed) freelance (1973—present) Global Television, Manager—Promotion (1972-73)	None
Eastern	Ogilvie, James W.	P	Department Manager, Simpson-Sears (20 years)	None
Eastern	Raymond, Patrick	P	Financial Portfolio Management, (Community Involvement 1971—present) (self-employed) Self-employed Contractor (1952-1971)	None

T — Tenant Representative

P — Public Representative



Location	Name		Career Background	Number of Rented Residential Dwelling Units Owned
Metro Toronto	Sagoo, Kirpal S.	T	Life Underwriter, Mutual Life of Canada (1975—present); Real Estate Agent, Metro Trust (1974-75)	None
Northwest	Silver, Michael J.	T	Contracts Manager, Hawker Siddeley Canada Ltd. (1973—present); Member, Exec. Comm. Academy Heights Tenants' Association	None
Metro Toronto	Stasiuk, Fred	T	Law Student (1974—pres.) Director of Manufacturing, T. J. Lipton Ltd. (1964-1974)	None
Central West	Tweddell, Mildred	T	Secretary to P.R. Director & National Fund Raising Director, Big Brothers of Canada (1975-1976), Office Secretary, International accounting firm (1969-1973)	None
Metro Toronto	Zidner, Tuffy F.	P	Owner/Operator, Zidner Real Estate Ltd. (1976) Vice-President & Director, H. Keith Ltd. (1971-76)	None
Metro Toronto	Zongos, Anthony	P	Semi-retired. 1967—pres. President, Zongos Developments Ltd., Commercial & Industrial property developers 1962-1969. President, Master Charles Restaurant	None

133. Mr. Godfrey—Inquiry of the ministry: In view of the fact that private physiotherapy fees were pegged to hospital offset revenue fees for physiotherapy by agreement with the Ministry of Health in February of 1975, did the Ministry of Health approach the Cabinet Committee on Wage and Price Guidelines to authorize a payment of \$5.55 for outpatient physiotherapy on the basis of a historical arrangement?

Answer by the Minister of Health:

In January, 1976, all outpatient revenue items which included physiotherapy services were increased by 10 per cent for offset revenue purposes. The figure \$5.55 for outpatient physiotherapy services in hospitals was arrived at because it was 10 per cent of \$5.05, the former physiotherapy rate. This is a theoretical bookkeeping exercise in hospitals and has no relationship to the amount of money which is actually flowed to the hospital for physiotherapy services.

On the other hand, about the same time, an increase of 8 per cent for physiotherapists in fee-for-service practice was granted. This was equivalent to all staff salary increases allowed in hospitals and was approved by the Cabinet Committee on Wage and Price Guidelines. The payment is now \$5.45 for physiotherapists in fee-for-service arrangements. These increases were not based on any historical arrangement.

135. Mr. Eakins—Inquiry of the ministry: Will the Minister of Health provide a list of all employees on the payroll of Browndale (Ontario) and Brown Camps residential and day schools and the 'management team' of that organization providing services to Browndale (Ontario)?

136. Mr. Eakins—Inquiry of the ministry: Will the Minister of Health provide a copy of any contractual arrangements between Browndale (Ontario) and Brown Camps residential and day school or any private company owned or controlled by any person or persons involved in any way with the above-mentioned entities?

137. Mr. Eakins—Inquiry of the ministry: Will the Minister of Health provide a list of all properties leased or rented by Browndale (Ontario) for use in their treatment programme subsidized by the Ontario government, the value of such property, the present owner, the previous owner and the rent and terms of rent for each property?

Answers by the Minister of Health:

135. The Ministry of Health does not keep this information on an ongoing basis.

136. The ministry does not have this information on record.

137. While a partial list of all properties leased or rented by Browndale is contained in the audit, this information is not available in the detail requested.

With respect to this question, the Minister of Health advised Dr. Stuart Smith in a letter, July 6, that it has never been the policy of this ministry to release the working papers respecting any audits performed by our internal audit staff. This is also the position which has been consistently taken by the Provincial Auditors.

138. Mr. Young—Inquiry of the ministry: Would the Minister of Revenue table the names of property holders in the Borough of North York receiving farm tax rebates during 1975 giving the number of acres upon which the rebate was paid, the assessment, the property tax levied and the amount of farm tax rebate paid in each case?

Answer by the Treasurer:

Ministry of Treasury, Economics and Intergovernmental Affairs Subsidies Branch  
Payments to Property Holders in Borough of North York  
1975 FARM TAX REDUCTION PROGRAMME

Owner	Acreage	Farm Assessment	Property Tax	Amount of Rebate	Date Paid
		\$	\$	\$	
Gulf Oil Canada Limited	54	9,700	1,072.14	536.07	10/2/76
McDougald, John	13	32,532	3,594.98	1,797.49	31/3/76
	<u>67</u>	<u>42,232</u>	<u>4,667.12</u>	<u>2,333.56</u>	

139. Mr. Ferris—Inquiry of the ministry: Will the Minister of Education explain the reasons for a reduction in legislative grant cash payments to school boards in the first three months of calendar year 1976 compared to previous years (1976-1975) = -5.8 per cent, 1976-1974 = -4.2 per cent, 1976-1973 = -3.4 per cent), and the actual dollar amount involved in the 1976-1975 comparison? What was the effect of this action on 1975-1976 provincial deficit?

Answer by the Minister of Education.

Funds available in the first three months of 1976 from the 1975/76 vote represent a smaller proportion of calendar year expenditure. This is consistent with the restrained aspect of the balance of the funding, relating to the 1975 calendar grants.

It had been the practice in previous years to provide approximately 10 per cent for the first three months of the calendar year. However, in 1975 additional funds were made available from the 1974/75 Vote increasing the percentage in 1975 to an exceptional 12.6 per cent.

Actual Dollars Involved:

Paid January, February and March 1975 ..... \$165 million

Paid January, February and March 1976 ..... \$111 million

Effect of this Action on 1975/76 Deficit:

Had additional funds been allocated to increase the allotment for January, February and March, 1976 to 10 per cent (rather than the 6.8 per cent), an additional \$52 million would have been required.

Had additional funds been allocated to increase the allotment for January, February and March, 1976 to the exceptional 12.6 per cent level (rather than the 6.9 per cent) met in 1975, an additional \$94 million would have been required.



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No. 99

Government  
Publications



# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Tuesday, October 26, 1976

Evening Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
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## LEGISLATURE OF ONTARIO

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The House resumed at 8 p.m.

TUESDAY, OCTOBER 26, 1976

### CREDIT UNIONS ACT (concluded)

**Mr. Drea:** Mr. Speaker, I would like to join with those supporting the passage, in second reading, or Bill 97, as amended. I'm sure that when we talk about credit unions in this province occasionally a note of paternalism comes into our speeches and into our remarks. I would say there is a justified paternalism because, contrary to some of the things that are so often taught in an extremely sketchy way in the history books, this province is not where it is today because there was an abundance of English speculators who had all kinds of money to put into bonds.

There was not an abundance of European remittance men who somehow arrived here. It was because the men and women and their families who chose to settle in this province did far more than just settle. They invested in this province. In a far earlier time, it was all too often their plight that the British bond speculator or the European remittance man or perhaps some American who wanted to take advantage of either a discount in the money or a point or two in the interest rate, got preference from the then-established financial institutions. As such, in this province and in other provinces, the credit unions were born.

It would take a far better speaker than I to describe really the impact, both financially and socially, that those institutions have had, not just upon the standard of living of this province, not just upon the standard of living of people, but the enormous contributions that they have made since the day they were founded—quite often in church halls or in farmers' halls, in the basements of schools or community centres.

I do not choose even to try to describe the legacy of those institutions. Tonight, quite frankly, I think we are on the threshold of a new age. The credit unions in this province are coming of age. And when I say coming of age, it is coming of age in the light of the new Bank Act that will be introduced by the

federal government probably within the next year. It is coming of age in the light of new financial institutions, the complexities and the sophistication of the financial communities.

I think it is remarkable that something that began as a movement—

**Mr. Sargent:** Are you for it or against it?

**Mr. Drea:** —so many years ago, even in the light of the sophistication and the complexities of today's financial community, is still a movement. As a matter of fact, what we are talking about tonight is an alternative banking system. I say that in full light of the fact the federal government—and the loud interrupter over there, who is in the pocket of the federal government because it is the same party—so much likes to look at the big chartered banks and the very big financial institutions as the monetary bulwark of this country. As a matter of fact, nothing could be further from the truth.

When I say an alternative banking system, one of the things this bill is going to do is provide a new source of funds for municipalities and school boards at a time when they find it increasingly difficult to sell their debentures, at a time when they find it increasingly difficult to play with the people down in Wall Street. This is going to open up a new and important and, I make no bones about it, a Canadian method, through which they can finance their debentures.

**Mr. Sargent:** What has taken you so long then? What has taken you so long to give them recognition? You've been six years doing this now.

**Mr. Acting Speaker:** Order, please.

**Mr. Drea:** Mr. Speaker in this bill we are talking about financial institutions that are providing a supply of funds for the necessities, not a supply of funds for what is done on impulse buying. We are talking about institutions that are providing money for mortgages and the necessities of life, not tying up the bulk of their funds on chattels

and then saying that they simply do not have enough funds left to trade in the mortgage market.

Very basically, this bill is eliminating the red tape that has prevented the credit unions from coming of age in the very sophisticated financial community that I have talked about. I think probably the most important thing in this bill is that young people, those below the age of 18, will now be able to participate much more fully. I think that the age limit of 18 in the past has been a measure of our paternalism, we wanted to make sure everyone was an adult. I think that opening the doors to young people to participate in this type of banking, and that's what it really is, is a most necessary step in this province.

At this time, when the province is at the crossroads in financial relationship with a federal government that is willing to give the chartered banks virtually unlimited control over the finances, and indeed the standard of living in this country, I think that this bill strikes a most recordant note. We are not only saying that there is an alternative banking and financial system in this province that is dedicated to the necessary and to the social good, but that this government provides much more than lip-service. This government is providing, through Bill 97, a much more flexible system that will allow the credit union movement to grow, to prosper, and, quite frankly, to compete. I, like my minister, welcome the competition in the financial field, because competition in the financial field, on a responsible note, in the final analysis means only one thing, that the consumer has alternatives. I would suggest that to fly in the face of this bill is to turn back the clock a century, where once again people will be entirely at the hands of those who think they know best at all times for the people who really contribute the most to our society.

**Mr. Nixon:** I missed all that.

**Hon. Mr. Handleman:** Mr. Speaker, I would like first to thank all the members who have contributed to the debate. The calibre, the quantity and the quality of contributions have been remarkable. They have been so complimentary that from time to time I've wanted to hide my head, because I'm a very modest person and really don't deserve all the credit.

**Mr. Moffatt:** Now, Syd.

**Hon. Mr. Handleman:** A great deal of it goes to my predecessor, who was mentioned

disparagingly and incorrectly by one of the members opposite. It was John Clement who commenced this process when he became minister.

**Mr. Nixon:** You mean Mr. Winkler didn't have anything to do with credit unions?

**Hon. Mr. Handleman:** The administration of credit unions has always been a responsibility of the ministry, but the process of developing—

**Mr. Nixon:** There have been five ministers in the last three years.

**Hon. Mr. Handleman:** One of the things that members of the opposition don't quite realize is that the process of public participation is great, the process of consultation is very constructive, but it's also time-consuming and we pay a price in time for it.

**Mr. Nixon:** Yes, three years.

**Hon. Mr. Rhodes:** What did you do, have a secret leadership convention during the summer? You are back on top again, you son of a gun.

**Hon. Mr. Handleman:** I don't think the price is too high, when you arrive at the kind of legislation that we have here now.

**Mr. Nixon:** But you were prepared to go ahead and borrow from the reserve fund.

**Hon. Mr. Handleman:** The member for Ottawa East (Mr. Roy) mentioned a meeting that he attended in Ottawa, in which he said that our proposals were received with great disfavour—and he's quite right.

**Mr. Drea:** Where do you get this from?

**Hon. Mr. Handleman:** One of the reasons why our proposals were not well received is that they were taken word for word from the select committee recommendations. The select committee recommendations were not acceptable to the movement in Ontario, and I think it took the kind of field trips that we undertook to find that out.

**Hon. Mr. Rhodes:** The member has been in the sauce.

**Mr. Nixon:** You be nice to me or I will defeat section 4.

**Hon. Mr. Rhodes:** Okay, you would too.

**Mr. Nixon:** Don't bet on it.

**Hon. Mr. Handleman:** We found out that the specific recommendations of the select committee were not wholly acceptable to the



movement. We went back to the drawing board and we have amended them, revised them and modified them in a way that we have been able to reach a consensus.

Interjection.

**Mr. Drea:** You know, you are the guy who made the \$11-billion misunderstanding.

**Mr. Acting Speaker:** Order, please.

**Mr. Nixon:** What a shame that I missed your speech and Marvin isn't even here to hear the minister.

**Hon. Mr. Handleman:** Mr. Speaker, the member for Riverdale (Mr. Renwick) did bring up, I think, a very significant point in his comments on it and he asked me to respond. I would like to do that now. Unfortunately, the response that I made was made last Saturday night in Windsor. At least one member opposite who is in the House now was there; the member for Windsor-Sandwich was there.

**Mr. Burr:** Windsor-Riverside.

**Hon. Mr. Handleman:** Windsor-Riverside. The other member, for Windsor-Sandwich (Mr. Bounsall), was also there, as well as the member for Essex North (Mr. Ruston), along with the Hon. Herb Gray; the Minister of Agriculture for Canada, Eugene Whelan; and a man who is well thought of in the benches opposite, Mr. Mark McGuigan, also happened to be in the audience.

**Mr. Breithaupt:** You have the nicest friends.

**Hon. Mr. Handleman:** I understood they agreed with everything I said, which was a violent attack on the white paper insofar as it affected credit unions. Mr. Whelan didn't even ask for rebuttal time. There is a problem in the white paper on banking so far as credit unions are concerned, and we recognize that. The first official response was in that speech on Saturday night and we are very concerned. First of all, there are some very good things in the white paper for the credit unions, and the member for Riverdale mentioned them. Basically it involves membership in the national clearing system and we support the credit unions in their desire to be members of that system. The cost of entering the system is, in our view, excessive. The province and all of the provinces require credit unions to maintain certain reserves in liquidity. We do not believe that it will add anything whatsoever to the fundamental soundness of the credit union movement to have

two per cent of their deposits with the Bank of Canada as non-interest bearing reserves, and we have so informed the federal government.

[8:15]

We are also concerned about the question of being required to belong to a league or central in order to be a member of the cheque clearing system. I suppose I speak personally when I say that the largest credit union in Canada happens to be the civil service co-op in Ottawa. It is not a member of a league. Certainly it is as sophisticated as any credit union and wishes to have access to the cheque clearing system. I do not believe they should be forced to become a member of a league or central or association in order to have access to something which other institutions have without that requirement.

Certainly, there are discussions going on between the league and the large independents so that the league may act as agents for those independents in having access to the system, but basically the two per cent reserve is, in our view, a backward step for credit unions. It certainly will tend to diminish their competitive situation vis-à-vis banks and trust companies and to that extent we will be opposing it.

I also agree with the member for Riverdale in that in experiencing the growth and prosperity that the credit union movement has had over the past 10 years, there is a danger of their losing sight of what they were created to do and why they ever formed a credit union. When they get into sophisticated banking and they compete for accounts, they are going to forget that their prime purpose was to use the funds of the members to serve each other. I have constantly urged credit unions, whenever I have had an opportunity to speak to them, and that's frequently, that they should never lose sight of the fact that they are a co-operative movement.

I distinguish between the co-operative movement and the collective movement. We won't get into a philosophical discussion on that. I think they are a co-operative movement. They should not seek to become anything else despite their desire for growth and, in our view, a quite legitimate concern for profit which is known as surplus or whatever the credit unions want to call it.

One of the reasons for the federal legislation which the member for Riverdale questions, as I understand it, is that through the federal legislation our credit unions have access to the Canada Deposit Insurance Corporation in Ottawa as a lender of last resort

for stabilization purposes. From time to time, in order to keep a credit union from going under or to enable it to become phased-in or amalgamated with another credit union or to save its depositors, it is necessary to have access to large sums of money on a very temporary basis. That is being done through the Canada Development Insurance Corporation, CDIC, because of the federal legislation. It is rarely used in Ontario. Nobody in Ontario has ever lost a cent as a depositor in or as a shareholder of a credit union and we don't think they ever will.

We think this legislation will be primarily for the purpose of assuring the depositors in credit unions that they do have the same protection as those who have their money on deposit in banks and trust companies. Also it will help the credit unions to attract depositors who may have been aware of the fact that theoretically they did not have that kind of protection. We are looking forward to the exchange of views in standing committee. I think we now have 104 amendments that we will be discussing; they will be moved section by section.

I am looking forward not only to the members' participation at the standing committee but also those credit unions who have indicated their desire to appear there and I want to make it quite clear that there will be no rush. The standing committee, as I understand it, has two sets of estimates to go through. I have already referred a number of people to the chairman of the standing committee who will be going through the clerk's office and notifying them of the dates. There will be no cut-off. Nobody will be turned away from the standing committee.

It is my understanding we will be prepared to sit there as long as people are prepared to come to us. Certainly there will be nothing before the committee for a period of five to seven days at the very least so that will give people ample time to prepare and make their travel arrangements if they are coming from out of town. I am looking forward to that committee because I am sure that the bill, as good as it is now, will probably be improved when it comes out of committee.

**Mr. Moffatt:** Mr. Speaker, on a point of order—

**Mr. Acting Speaker:** State your point of order.

**Mr. Moffatt:** The minister, in his opening remarks, indicated that at this point in the evening we might have the amendments be-

fore us. I wonder if those amendments are now available?

**Hon. Mr. Handleman:** Mr. Speaker, I haven't heard. I said I hoped they would be and we are trying desperately to have them here for 8:30. The debate has been on principle, not on clause by clause, and all I can say is I'm sorry they're not here. I had hoped they would be and I could only assume they're not here yet.

**Mr. Acting Speaker:** The motion is for second reading of Bill 97.

Motion agreed to.

Ordered for standing administration of justice committee.

Resumption of the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

#### BUDGET DEBATE (continued)

**Mr. Acting Speaker:** Before we commence the debate the Chair would like to recognize the fact that Mr. Grossman did adjourn the debate. However, in his absence, the hon. member for Scarborough-Ellesmere will continue the debate.

**Mr. Nixon:** Perhaps, Mr. Speaker, before the debate is resumed, we should recognize the presence of a former colleague, Mr. Alex Carruthers, in the gallery and welcome him back.

**Mr. Warner:** Mr. Speaker, I certainly appreciate the opportunity to take part in the debate over a sum of money which will be spent by the time we have finished debating it.

I have some general comments about economic and fiscal planning as they apply to this province, not only from evidence in the budget which we've just seen but previous budgets. As a member of this House and as a voter, as a citizen of Ontario for a number of years, and from discussions I've had with people in my riding and friends elsewhere, I sense there's a general feeling that budgets occur to respond to situations but not to respond to any long range planning, not to look at economic planning in total. We are, for the most part in this province, more crisis-oriented in our fiscal and non fiscal policies, and less concerned about planning for the future. Witness that little difficulty



the government had a few months back with its credit rating, and all of the frantic motions that took place at that time.

One of the points made at the time the budget was introduced was the increase of the OHIP premiums and the government's insistence that this wouldn't really be much of a hardship. I find it interesting the kind of response that I've had in my riding from ordinary, tax-paying, hard-working individuals who don't earn very much money and who are trying to pay high rents and meet increased food costs and so on. By and large, the people who were earning fewer dollars were those who were having to pay the OHIP premiums on their own, so that it became a tougher burden for them than it would be for others.

Yes, I think there's going to be an effect, even with those individuals whose companies or employers are paying the share of the OHIP premiums or the majority of it, because that cost has to show up somewhere. But my concern is particularly for those individuals who are earning a low wage and are having to pay the premium themselves. When I look around—I mean this in the most objective and non-provocative way—when I look at a couple of western provinces and see that they have managed to phase out the OHIP premiums, or are in the process of doing so, and extend their health care, I wonder why we find it necessary to raise premiums. It seems to me to be totally unnecessary and placing a burden upon those who can least afford to carry that burden.

It is in the vein of this unplanned kind of lackadaisical approach to the world at large that many of the critics of the community college system have claimed for some time that we saw the institution of 22 colleges as a response to a dead-end four-year programme in the high schools.

This wasn't really part of a planned economy, to provide additional schooling, or an alternative form of schooling, but rather an approach to a very poor situation. We had people graduating from a four-year programme; it was dead-end, no place for them to go, no job training. What do we do with all these people? We build 22 community colleges.

It's equally evident, in terms of a lack of planning, that all of these other issues which are now coming before us, from the summer of 1975 through until now—the loss of productive farm land, the non-development of secondary industries that are related to natural resources, the destruction of timber land that's

not being replaced properly, the gross inequities which exist between northern Ontario and southern Ontario—all of these are a product of this kind of economic system that doesn't really plan for the future.

I find that very disturbing, because not only have I had to live with it, but I sense unless we take some dramatic changes in our direction that my children will have to live with that; I hope not.

For a few moments I'd like to direct some remarks toward how this past budget, or the one we're debating now, will affect the universities and colleges, because that's my particular critic interest. My travels around this province from Windsor to Thunder Bay to Ottawa and so on have revealed some pretty stark realities that surely must hit the government pretty plainly in terms of what their budgeting is doing.

Some government members have maintained that a 14.5 per cent increase in the budget for colleges and universities is pretty laudable in relation to the remainder of the ministries. But I ask them to walk into a university, to talk as I have, to maintenance people. They tell me that they cannot carry on preventive maintenance because the staff has been cut. There are fewer members to take care of the maintenance in the building. Fine for now, fine for tomorrow and five years from now. But 10 years from now, I suspect we're going to be facing an enormous capital expense in terms of replacing equipment and materials that should have been repaired along the line. Yet we don't have the time nor the money for preventive maintenance.

There's an increased work load for the support staff, the non-teaching people in universities; there are fewer people to do it. There is an intrusion of part-time, contract people as a cheaper way for the universities to take care of their work load. There is not an incentive towards career development. In fact, in many cases it's absolutely absent. That's really an irony, in a way, because the university probably represents the best equipped institution or place for individuals to develop their career in terms of skills and talents, and yet it's that very place where they're working that they have been denied access to. Somehow, because of the constraints placed upon the universities, they cannot allow their employees to take an hour off to attend an upgrading course. In some instances they can't even offer them a lower tuition fee. It went so far as the employees employed in one university were attending a different university in order to get the upgrading skills they needed for their own

place of work. Why? Because this government has placed some pretty severe restrictions upon the institution and how it handles, how it works, with its non-teaching staff.

The employees are tremendously concerned about the use of contract employees, part-time people. Some of these so-called part-time people are working 40 hours a week and have been doing that for a number of years, but they are still part-time. Why? Because you don't need to pay fringe benefits, you don't need to pay them the same salary and it really is a lot cheaper. I don't blame the universities. They're reacting to a government budget which isn't allowing them much flexibility.

When we talk about faculty, there really is a myth about wages. Everyone—I shouldn't say everyone—many people in our province assume that any person who's teaching at the university is earning a considerable sum of money for his or her efforts. It just isn't so.

[8:30]

Many professors are being hired at \$9,000 a year. At the end of two or three years, they're still earning perhaps \$12,000 or \$13,000—not an excessive amount of money in today's market.

**Mr. Nixon:** Not a professor.

**Mr. Warner:** I said lecturers, teachers. Where the differential comes in is the full professorship—yes, the full professorship.

**Mr. Nixon:** You're talking about a junior lab demonstrator.

**Mr. Warner:** Not at all.

**Mr. Nixon:** And I don't know any of those who are making \$9,000.

**Mr. Warner:** When I'm finished, I'll send you the stats from OCUTA and they'll show the differential.

Yes, the people at the top are earning good money; no doubt about that. The full professors, the associate professors, the deans, the heads of departments; yes. The lecturers, the people who are working on their PhD, who are lecturing full time, are not being paid anywhere near that sum of money. There's a gap, a really serious gap, between that top and bottom. It seems to be getting worse instead of better and it has got worse over the last three or four years.

The work load has increased for faculty because they're not hiring. The pension funds for the faculty are not portable and faculty

are concerned about it across this province. For some reason, the government can't seem to organize that in the same fashion as it has done for the public servants of Ontario, and offer them the opportunity to enter into the superannuation scheme for public servants.

Faculty also are concerned about part-time staff being hired. Again, it's a money-saving device by the universities; it works quite well as far as the budgets are concerned but has or can have some very serious effects upon the quality of education and that surely is the prime concern of this government. When it talks about education, surely it's defining the quality first and seeing how to fit everything into that definition of quality. I don't think it is by adding more and more part-time staff.

It's quite obvious that many people recognize the educational value of some part-time staff in many cases. I can think of examples when dealing in watershed ecology; one wants a short part of the curriculum to deal with one particular segment, perhaps the thickness of ice in the lakes and the melting rate, so one brings in an expert for so many hours of the course, a part-time person paid accordingly. That's fine. I understand that educational component. What disturbs me, however, is when I see courses that should be dealt with by a full-time faculty member being dealt with by a couple of part-time people, some teaching assistants, using a lecture hall with 500 or 600 students.

All any of us have to do is to walk right across here to the University of Toronto and sit in on some of these classes where there will be as many as 50 students in a discussion group. I don't know what kind of a discussion group that's supposed to be, but it seems to me that 50 students is a bit high.

The students in this province are also suffering from the budget that this government has inflicted upon them. The system, I always thought, had been designed around the educational needs of the students but that really isn't quite so, not at all. Because students, particularly those who are attending from out-of-town—I'll use an example here that I came across, and it's a pretty typical one and pretty vivid.

A student who was from the lovely town of Perth and who wanted to attend Carleton University in Ottawa found that when he arrived there was a housing problem. There was a serious housing problem not only at the two universities and the college—the college because by law it's not allowed to build a residence—but within the



city itself. The student found that when he went out to look for housing what happened was that the apartments were either too expensive or they refused to rent to students. The person had no right to tenancy and it certainly seems discriminatory to me—I'm sure that under the Human Rights Commission it would be discriminatory. When the landlord asks the person what his occupation is, and upon learning that the occupation in the broadest context is that of student says: "Therefore I will not rent to you"; it seems discriminatory. I certainly think it is.

The student ended up looking at a basement apartment. That doesn't sound bad to some people except that the basement apartment was in such condition that no one else would rent it. The rent was \$150 a month and on top of it the landlord said "You will be required to pay 10 months' rent."

The student responded: "I'm here at school for eight months."

The landlord said: "That's too bad; you're a student. It will require a penalty of two months' rent."

Those kinds of practices obviously are not only economically poor for the student but I think give the student a pretty poor image of the world when he or she is leaving Perth for the first time in his or her life, travelling to a large city and the new experience of attending university.

**Mr. Breithaupt:** The practice is as old as Dennis Timbrell.

**Mr. Warner:** Where are the balances? Why is it that this province can't look at student housing in the light of the Ministry of Housing and include it as part of an overall attack on the problem of housing? It can't; it never has but I hope it will someday.

When the student has finished the year the student, of course, is seeking employment. What the student found, of course, this past summer, is that jobs were quite scarce. Jobs were more scarce depending upon your family income and depending upon whether you were male or female. This past summer not only did males have greater opportunities for jobs but they received higher pay than the females.

A very interesting study was undertaken by Carleton University's Students Association's student employment report, Summer of '76. The study, I think, first of all exploded a few myths; and secondly made some rather disturbing comments on what's happening. The employment rate overall wasn't too bad at Carleton or for the Carleton students, but it was considerably less for females than for

males and, when they compared the students' family incomes, the higher the income, the better the job situation. The reason for that became fairly evident when they interviewed the individual students. For those who came from middle income or higher, the parents had the necessary job connections to get the son or daughter a job. For those from low income families, it was not so.

On top of that, and I think this is really the crowning kind of insult toward all of us who have believed that this government was making university more accessible—the government's been saying that university is more accessible—only 14 per cent of Carleton students come from families who are earning \$10,000 a year or less.

**Hon. B. Stephenson:** Because there are so few families earning less than \$10,000 a year.

**Mr. Warner:** On top of that, the average family income for students who are attending Carleton University is \$23,000 a year. If we want to put that into perspective, the average for Canada for a family is \$14,833. So although the average for Canada is less than \$15,000 a year, the average for those students who are attending Carleton University is \$23,000 a year. It shows again that over the past decade the number or the percentage of the university population from low income families has not increased. Children from low income families are still not getting the opportunity to go to post-secondary institutions. With respect to that portion of the budget which talks about student aid and the fact that we have to gear a system to the parents' declaration of income in its support is very interesting, because 42 per cent of those students attending Carleton receive no financial support from their parents and the average contribution from the family of those who are receiving support from the family was \$600. The cost of attending university is approximately \$3,000 per student.

It becomes even more interesting in a way, when one considers that in this province the law says that any person who is 18 years of age or over is an individual entitled to enter into legal contracts and agreements. And yet the ministry says that that isn't so when it comes to a student. You require your parent's signature. You require a parental statement of income and you are not so much of an individual any more. It's never been tested in the courts yet; perhaps it will be some day.

What's interesting about the unemployment aspect, to come back to it for a moment, is the fact that—and all the figures aren't in yet—but the indications at this point seem to

be that student unemployment this past summer ran somewhere between 15 and 20 per cent unemployed. Pretty dramatic in two ways: One, that the students need the money, the summer earnings; and whether they are employed or not, summer earnings are assumed by the government so that they may receive student awards. They assume that if you are unemployed you are still going to save \$1,600. I don't know how you do that, but somehow the government assumes that that is going to occur.

**Mr. Swart:** Part of the restraint programme.

**Mr. Warner:** Part of the restraints.

**Mr. Makarchuk:** They are just used to deficit financing.

**Mr. Warner:** That's the whole myth and it is rather interesting. We always get tagged over here with this little label that we are the big spenders, but the big debtors are over there. And it really would behove the Treasurer (Mr. McKeough) to sit down some time with the treasurer from Saskatchewan and take a look at his books. First of all they will be open; they won't be a secret. And secondly, he might actually learn something about budgeting and finance.

**Hon. Mr. Taylor:** The next government will check that out.

**Mr. Warner:** Thank you very much, we certainly will.

**Hon. Mr. Taylor:** I mean in Saskatchewan, as they did in British Columbia.

**Mr. Warner:** The other aspect of the loan situation, the student award situation, that really bothers me in terms of the budget is that I suspect that when it's all said and done we won't be spending the \$61 million, etc., that is listed in there; there will actually be money left over. And yet while that is being done there will be students who require money and don't get it. One of the reasons being—and I will use an example—that if you apply for a \$1,000 loan which is the ceiling, the maximum, and a \$100 grant and you haven't had a job, you are unemployed during the summer, and so therefore you appeal that decision, if your appeal is upheld you will not get one penny more of grant. There isn't a mechanism for the appeal to grant any additional grant money but only to increase the loan.

While we are at it I think we should talk about the loan, because there was some alluding to it in one of the local Toronto papers

today that the government appears to be giving away money to students. I suppose the government would like that kind of image. It just isn't so.

They are not really giving it away because the rate for repayment is geared to the Canada savings bond, which is geared in turn to the prime lending rate of the Bank of Canada.

It fluctuates. The student has the advantage that it will not go above whatever amount the student has agreed to at the time he or she enters into the agreement. Fine. But for most students it's averaging about nine per cent—somewhere between 8½, 8¾ and nine per cent, somewhere in that area. It's hardly free, hardly a handout; it's repayable. The student has to pay the principal plus the interest. I really don't know where the notion comes from that the government is giving away money. It just isn't so.

[8:45]

There is also this myth, while we're at it, that this is really the best bargain in town, going to university. The tuition fees are really a steal. If the government comes through in addition to what we've seen so far and adds \$175 to the tuition fee, as is reported in the Toronto Sun through that very creditable reporter, Mr. Clair Hoy, and his impeccable sources, that will give university education in the province of Ontario the highest tuition fee in Canada. That is some record not to be envied. Similarly for the colleges—if it becomes \$350, again it will be the highest in Canada. If this government is really concerned that by taking away some of the restrictions the lid is going to come off; or if it takes away the restriction on summer earnings it is going to be pilfered, I make two suggestions to the Treasurer.

**Mr. Cunningham:** First is resign.

**Mr. Warner:** Three then; the first is to resign. The second is that he should consider and the Ministry of Colleges and Universities should consider the real financial resources of the student and have the student make a declaration, that declaration to be checked against the income tax return. If the statement is falsified, obviously he is contravening The Income Tax Act as well as possibly denying himself access to the institution.

Third, that the student simply prove his search for a job as is required of any recipient of an unemployment insurance cheque or prove his registration at the Manpower office. Surely, with those kinds of simple safeguards, the Treasurer can feel comfortable that the



money isn't being stolen by students who, after all, just want to pay for an education.

Those kinds of things really bother me because I don't think that this province is planning adequately for the well-being of students or for the opportunity of post-secondary education for students. There are a lot of problems that students in this province have.

One of the things that concerned me greatly when I visited Conestoga College near Kitchener and Northern College near Timmins was that in both of these instances—and many others throughout the province—the college is located some miles from the town. Either it isn't serviced at all by public transportation or is very poorly serviced.

**Mr. Ferris:** Come to London, we will build it right there.

**Mr. Warner:** Yet I guess part of that falls into this whole difficulty the province has in planning public transportation, in properly planning a transportation system for this province. I realize that is part of it. I realize that in a city like Toronto—I think of my own area in Scarborough where Centennial College is relocating its campus in an area which presently is very poorly served by public transit—in large urban centres like Toronto and Ottawa we are going to have to get a combination of municipal, provincial and federal moneys and planning in the area. It's going to have to happen at some point. What's missing is the co-operation.

What astounded me—in a way it is kind of an aside although it does relate to the budget because it surely is budgeted moneys. I got involved in this whole business over the flood damage. We had some flood damage in Scarborough and some of my constituents who had property damage were concerned about restitution; trying to get the repairs, and repairs were extensive. Simultaneously there arrived on my desk two letters, one from the Treasurer of this province and one from the Liberal MP. The letter from the Treasurer said in effect that they were waiting for some initiative from the borough and from the federal government so that they could co-ordinate the efforts in terms of funds. The other letter, coming from the Liberal MP, said: "We are going to do a lot; we are just waiting for the initiative from the provincial government."

That sort of thing really baffles me. Now, after all these years of being on the outside, I understand some of the confusion that goes on in the inside. For some reason this government finds it almost impossible to enter

into co-operative works with the federal government to try and get things done, and I find it annoying. In the area of transportation it's obviously one of the things that needs to be done, but it's not. It just isn't done.

Part-time students in this province have a problem as well. Somehow the government takes the attitude that these people are nonentities. Either they are not creditable students—and it has taken years and years and years for people who wanted to pursue their studies part time to actually be granted status with full-time people but they are not eligible for grants or loans. Many part-time students are working mothers; self-supporting, sole-supporting; trying to support a family, to upgrade themselves and get into a better job situation because there is no father. They can't get grant money or loan money, can't even borrow money from this government so that they can continue their studies, upgrade themselves and improve the lot for their families.

But there is a place where we can take it out on a few people—there's a place where we can add some revenue—and that's by clobbering the foreign students. That's great fun.

That issue is interesting from several side-lights. First from the aspect that we are going to take it out on somebody who can't for the most part defend themselves. Secondly, without any real consultation, someone in the ministry or the minister or cabinet decided that this was a terrific way to add some revenue, so that's what was going to be done. No one bothered to check with the Council on University Affairs, which is the government's advisory body; nobody checked with the Council of Ontario Universities; nobody checked with the Ontario Federation of Students or the association of faculties. They didn't check with anyone.

What's happening now? The universities are starting to speak up about it. Brock University is the first that I can recall. The president said that this was a wrong policy, that students would not any longer come here to study except for very rich ones.

Keep in mind, Mr. Speaker, that those students who come here from other countries are not allowed to take jobs. They are not allowed to borrow money. They are not allowed to have grants. They are allowed to spend up to \$3,000 a year on accommodation and food and books and everything else, and then you want to add another \$1,000 tuition.

Who is going to come here? Only the rich. Who is going to lose by it? Those emerging countries who desperately need our help. It



was one small way that this province could help with foreign aid not a terribly expensive one—and a way that would enrich the lives of the people in those countries. It would provide them with some expertise in areas where they were lacking. It would provide some direction and quality of life to people in those countries that they have otherwise been missing. Yet what do we do for the sake of adding a couple of million dollars to the Treasurer's budget? We deny that opportunity to deserving students from foreign countries. It is rather appalling, I think. I suspect I am not alone. It's rather interesting, when the government's finished and they've developed their budget they will pass along the information to the universities and colleges. And, of course, what happens then is that the universities and colleges will have to downgrade their own budgets to meet with what the government is going to hand out to them. There are some real inequities in that because over the last few years the government has encouraged universities to take in more bodies. The more you have, the more money you get. The BIU system, it's called—basic income unit. If you could add professional schools—if you could add schools of medicine, engineering and so on—you would get more dollars for the warm bodies you attract. "Don't be quite so concerned about quality of education, but let's look at quantity and see how much money we can wrestle out of the government."

Do you know what the university and colleges would really like to do? They would like the government to say: "There's a base cost for opening those doors. Whether you've got 2,000 students or 2,500, you've got a base cost and, in some areas, we can look at programme financing." This government doesn't seem to be interested in programme financing. The federal government does it quite a bit, but somehow we can't wrestle with that here—maybe because the provincial government is afraid that many universities will put the squeeze on them for research money. The federal government isn't concerned about research any longer; they're drying up research dollars and the next logical place to come is to the provincial government. But that means programme financing. I don't know how you're going to approach research without doing programme financing.

On top of all of that—on top of the kinds of financial inequities that I've displayed and spoken about—the universities and colleges are not given enough lead time to plan properly. They keep saying—at every institution I've been to, which is approximately 30 in

number, I have had the same identical plea: "Could the government please plan for more than one year at a time? Why can't they budget for more than one year at a time?" I don't know why they can't; there doesn't seem to be any logical reason. But, however, that's the way we carry on. Maybe because that's the way it's always been done and who wants to change? I for one, but I'm sure the government doesn't want to.

What's interesting about the whole situation for universities and colleges is that you, as the government, have forced universities to look at the whole thing backwards. What I think should be done instead and what the universities really want to do is to look at quality first, define what they want, their goals and objectives and then figure out how you reach them and not the other way around. The government has forced that on to them. How else can they respond?

There are a lot of alternatives. If the Treasurer is looking for some alternatives to examine, there are a few in the area of colleges and universities that he really should take a look at. One is—and I'm not really making any judgement on this; I'm simply offering it forward as an alternative—that he look towards more loan money for students, but to be repaid in connection with the income tax scale as reflected in the graduate's income. That surely would be a fair way of doing it. At this point, particularly with high unemployment, many graduates are earning not much money and upon graduation whether you earn \$8,000 or \$16,000 you're required to make the same monthly payment for your loan. It hardly seems fair, but that's the way it's done.

I think also that we should be looking at a surtax on the profits from industry to go directly into post-secondary. There's a very simple reason for it. At one time, the kind of training that's now done in the community colleges was done by the industry, paid for by the industry; sometimes it was on-the-job training in their own little school setup or whatever, but it was done there. But not any more. It's in the college and university system and we collectively, meaning the public of Ontario, are paying for that. The industry is getting off scot free. They used to pay for it and I think it's about time we made them pay for it again. We'll put it directly into post-secondary.

The figure that I heard—the Treasurer obviously has some sources for this, or he should—is that a very modest one per cent surtax on the profits from the industry in this province would net somewhere between



\$45 million and \$50 million a year. Perhaps a paltry sum in the Treasurer's eyes, but it seems to me to be somewhat significant.

[9:00]

It would entirely be possible to designate a certain percentage of the personal income tax scale that was directed towards education; that would be a possibility for the Treasurer to look at and see if in that way he could help to stabilize the situation. I take it, and I have made this remark a couple of times before in here, that education surely is a part of each of our lives. It's not something we take on and discard the way you do with a coat. It's not something that's packaged up and given to you like a chocolate bar. Surely it's something that answers the educational needs I have, as a human being, from the time I'm born until the time I die; and, that being the case, surely we can stabilize things financially a little better than we're doing.

I'll mention a few of these ideas. Maybe they're new ones to the Treasurer and maybe they're not; but he's not going to get anywhere until he starts listening. I don't mind saying here—and I really don't do it in a boastful way—that when I've been travelling around the province and meeting with people, invariably I've got the comment, "We're glad you came to listen. No one has ever listened to us before." Thirty years of Conservative rule—

**An hon. member:** Thirty-two.

**Mr. Warner:** Thirty-two; that's a painful number to remember. But they've been in power all that time and they've never listened to anyone. I can't understand that. Maybe that's why they're losing their grip; maybe that's why they're losing control of the province. Those will be my comments as they apply to the colleges and universities.

I'd like to make a few remarks as to the effects of the budget on my constituents. The Treasurer is right that in some regard, as he has been saying on occasion, the world isn't falling apart because of our budget. Not immediately, but the seams are weakening a bit. The whole thing hasn't fallen apart yet, but the effects are there. Some of them are subtle but they're there.

I mentioned before about the wages, and invariably the low wage earners—and I have quite a few of them in my riding—are absorbing that increased OHIP cost outside of the price controls. Price controls really don't mean anything in this province; they really don't exist. When the government can blatantly talk about \$175 increase for fees in face of

the suggestion by the federal government that we control prices within eight per cent, prices obviously aren't being controlled. The calls that I've had most often—and not just calls, but also letters and personal interviews by constituents who wanted to see me and talk to me and write to me—are about 35 per cent, 40 per cent or 50 per cent increases in their car insurance premiums and similar kinds of increases in house insurance and fire insurance. They keep saying, "I thought there were price controls." I have to tell them, "I thought so too; obviously there aren't." When I ask, "Are your wages being controlled?" the answer invariably is yes, because I have few lawyers or doctors who call me.

Public transit is an interesting subject, because I got the answer earlier—I believe it was from the Minister of Transportation and Communications, but I wouldn't swear to that—that public transit really rested with the municipalities. It wasn't much of a provincial concern, particularly for Metro Toronto. I think he's going in the wrong direction. I'm not going to debate at this point what percentage of the pressure belongs with the provincial government or the municipal governments, but I will reiterate that the three levels of government need to be involved. The federal government surely has an interest in the major cities of this country, in Montreal, Toronto, Vancouver and so on, if it wants to develop a comprehensible, understandable system of communication and transportation in this country. If we're really concerned about moving people and goods from one part of this country to another, we have to be concerned about how we do it in the cities. How can we expect to be developing proper systems between cities if we can't develop the system within the city? That's what's happening; those are some of the problems.

As a simple illustration, I'm sure that many of the transport companies are now experiencing difficulty using the 401 across the top of Metro because of the increased load. Why is there the increased load? Because we haven't developed public transit in the city. Why? Because we're not getting provincial dollars.

**Mr. Breithaupt:** The Spadina Expressway.

**Mr. Warner:** Oh, yes. We won't talk about Spadina. We don't want to embarrass the government.

We haven't had a hospital closed in Scarborough, thank goodness. Maybe the minister doesn't know where we are. But we have had some cutbacks in hospital beds, services—

**Mr. Conway:** A \$10-million courthouse.

**Mr. Warner:** Yes, we can spend money in other places, but not hospitals.

**Mr. Breithaupt:** Who got the credit for that?

**Mr. Warner:** Our public health nurses, again, are still underpaid. They're doing a tremendous service to the community and not having that service repaid in kind at all. I find that very annoying and I know this government can do something about it.

I find it a little irritating this afternoon to hear the Minister of Labour more or less say that there wasn't really much she could do about the situation. I don't think that's right at all. All of us here know where those people came from and what their political affiliations are and all of us here understand about elbow-twisting and arm-twisting. I think it's about time that we had some meaningful negotiations but I know the public health nurses in my riding are not being treated fairly.

Social services—we've had some cutbacks in social services.

**Mr. Cunningham:** I thought you were talking about student loans?

**Mr. Warner:** Would you like a loan?

**Mr. Cunningham.** No, I paid my own. I couldn't get a loan. Did you get a loan?

**Mr. Warner:** I heard the Minister of Community and Social Services (Mr. Taylor) at one time say that there needed to be greater involvement of communities and community people in social services because this somehow would take the pressure off his dismal budget. The province isn't willing to put money into co-ordinated social services, therefore the community should pick up the slack. That's very interesting unless you're on the other end of it.

I worked for a while as a volunteer director of a community social service type of agency—100 volunteers, one paid staff member. We worked with every social service agency in the community, served a community of 50,000 people and had a very good track record in terms of what we were doing and how we were meeting the needs of the community.

Then we came to the provincial government for funding. Well, that was a joke. It really was. They made our people who made the presentation feel as though we were looking for a handout, that we weren't really doing something useful or if

we were somehow we had to prove it beyond a shadow of a doubt—mind you, we'd been accepted by the United Way but that really didn't mean anything—and that whatever they gave us should be looked upon as some great gift.

We got \$6,000 and the way it was spent probably saved this government close to \$100,000, but we never got a letter from the government acknowledging that. No way; it doesn't work that way.

When I was in Peterborough at a mini-caucus meeting, we had a presentation by someone who was in a similar situation as I described myself to be in earlier. The person said, "We took five people who had been destined for the juvenile jails and we worked with those people in a voluntary way in our programmes and out of that, four of those individuals remained in the community—four out of the five." Do members know what the saving to the province is on that? Four times \$27,000—because that's what it costs to keep a youngster in a juvenile jail.

But what does the organization have to do? Beg for a couple of thousand dollars out of this province. That's backward economics, if nothing else. You can talk about the social aspect—it's backward economics, it's poor social policy. I don't know how you ever straighten out the government, how you ever get them on the right track, but if they want some social service work done at the community level—and it's pretty important there, it has in some respects more meaning. When you talk to the social service professional worker he or she likely will tell you that if they could have a volunteer, someone who is known in the community, to do some of the work that it would be very useful and productive. If you want that to happen, then stop holding back on the money that needs to be spent for those community organizations.

Look upon it that if you spend \$6,000 or \$10,000 here or there in various communities, you will probably be saving yourself \$100,000 for every time you spend \$10,000. A little better economically, if you ask me.

You know, when I look at the budget that we've seen, when I know of the cutbacks that have occurred, when I view what's gone on—particularly in the universities and colleges because that's the area I'm most familiar with—and when I see the lack of planning, I know for once and for all, at least in my own mind, this whole myth about Tory financial competence is destroyed. You people over there really don't know how to manage the money of this province. It's been a façade



for 30 years. No one could get into a bigger debt if they worked at it 25 hours a day.

And on top of all of that, on top of this huge debt—what is it, \$200 million now? Is that what you're in the hole?

**Mr. Breithaupt:** Oh, much more than that. Two billion this year.

**Mr. Warner:** Two billion. Two billion this year you are in the hole. On top of all of that, what really hurts is that you're not planning to get out of it. You don't have any long-range plans.

**Mr. Makarchuk:** Even when you give it away you screw it up.

**Mr. Warner:** You can't even give it away properly. That's bad when you don't know how to give away money.

**Hon. Mr. Handleman:** You can always do that. That's one thing you know how to do.

**Mr. Warner:** Give away money. I make the same suggestion to the hon. minister of consumer relations and corporate protection that you also, along with your colleague the Treasurer, take a look at the books of the province of Saskatchewan. It really would be a good exercise.

**Hon. Mr. Handleman:** I can't stand the sight of red ink.

**Mr. Mackenzie:** They've done a pretty good job of running that province—

**Mr. Warner:** What's interesting too, when you take a tour of northern Ontario—and I hate to say it but I really think that a few members over there aren't exactly sure where northern Ontario's located. When you take a tour of the north, you really understand the lack of government planning. We continue to dig things out of the ground and send them to the United States or to Norway. We continue to rip down the forest and send it elsewhere and we don't develop the secondary industries that are related to those natural resources.

You had the opportunity years ago; you never did it and you won't do it today. Do you know where northern Ontario is? It really is incredible.

Interjections.

[9:15]

**Mr. Warner:** Is it true they're building a four-lane highway to Minaki Lodge?

I would just like to close by mentioning that although the government sits there smug-

ly after 32 years and says that it knows how to manage the economy in the face of a huge deficit and without any long-range planning, and then says to us we're the big spenders, though we've never been the government of Ontario. I don't know how you make that claim. You are talking about the Ontario New Democratic Party and you claim we are the big spenders. And in the face of the balance sheets from Saskatchewan and Manitoba in particular.

It really hurts, sure it hurts, when Mr. Blakeney goes down to New York and grudgingly the capitalists hand over the money for him to nationalize an industry, and at the same time up his credit rating. That hurts. Do you know why they did it? Because they saw his balance sheet.

And yet you can still sit there and say we are the big spenders and that we couldn't balance the budget, we couldn't run this economy. Sure we could do it; after the few years it would take to clean up the mess you people had left us in.

**Mr. Burr:** Mr. Speaker, I should like to make a few remarks this evening about drugs and the government's attitude toward them.

The first mood-altering drug on my list is nicotine. Although the tobacco industry continues to claim that no connection between lung cancer and tobacco has been proven, nevertheless the industry is trying to produce cigarettes with less nicotine. To this end the R. J. Reynolds Tobacco Company in the United States has been granted patents for the production of cigarettes containing such cereal grains as wheat, corn and rice used as tobacco extenders. The company claims that in this way it will be able to reduce the tar and nicotine content of cigarettes without changing the taste or "reducing smoker satisfaction," a phrase that could be expressed as "without losing customers."

Almost simultaneously, however, studies in England have shown that the addictive power of cigarettes, which incidentally is even greater than that of alcohol, depends upon one element in the tobacco—the nicotine element. Studies show that smokers given low-nicotine cigarettes, that is of the kind the Reynolds' company is planning to promote, increase the number of cigarettes smoked each day. Moreover, the smokers of these low nicotine cigarettes took longer and deeper puffs. In other words, they inhaled more deeply and held the smoke for a longer period of time. It was observed also that they smoked to the very end of the butt where the last few puffs contain more tar, more nicotine and more

carbon monoxide than do the first puffs of each cigarette.

The final result of smoking low-nicotine cigarettes may be just as bad as, or even worse than, the normal nicotine cigarette. Reynolds may have a good idea. They may have found a way to sell more cigarettes to their regular customers and they may acquire some new customers who think that their new cigarette will be less harmful to their health. Yes, Reynolds may have a good cigarette going—good for their stockholders, but no improvement for their victims, the smoking addicts.

Heroin pushers, cocaine pushers and all the other hard drug pushers are regarded as the scum of society by most people. Nicotine pushers, however, are still considered highly respectable. Recently this respectability enjoyed by three Reynolds executives slipped somewhat. Three executives whose salaries ranged from \$158,000 to \$270,000 in 1975 were demoted following allegations that they illegally channelled corporation money into political campaign funds. The chances are that they are still highly respected in their local political and social circles. There are indications, however, that their prestige and influence in government circles may soon decline.

The American Medical Association at this year's convention in Dallas, Texas, passed some strong anti-tobacco resolutions.

At least two of these resolutions should be of interest to various ministers of the Ontario government: 1. The AMA called for the elimination of subsidies to the growers of tobacco; 2. The AMA called upon all of its members to act as "non-smoking exemplars."

To return for a moment to the subject of the search for less hazardous cigarettes, a project on which considerable money is being spent, Dr. Gio B. Gori, a deputy director of the National Cancer Institute's division of cancer cause and prevention, has stated, "In the broad view I don't believe there is such thing as a non-hazardous cigarette." His statement is all the more significant because the National Cancer Institute is one of the sponsors of research to find a less hazardous cigarette.

I don't want to be entirely negative about cigarette smoking and cigarette smokers. I should like to point out some of their virtues. In the first place, they contribute generously to the public tax coffers. If they all stopped smoking, my taxes would have to be much greater than they are today. So I thank them. Of course, since at least half of all the fires in this province and other provinces are

caused by careless smokers, my fire insurance rates are much higher than they would be if there were no smokers. So perhaps I should qualify my thanks.

Secondly, they are all reducing their own lives by a few years. In view of the now recognized over-population of the earth, their early departure from the scene will leave more room for the rest of us and our families. This self-sacrificing gesture on their part should not go unnoticed and unthanked.

Thirdly, cigarette smokers are more thoughtful than pipe and cigar smokers. Cigarette smokers at least filter some of the toxic substances out of the smoke into their own lungs before emitting the rest of the smoke into the common air. Pipe smokers and cigar smokers usually refuse to inhale and thereby filter the smoke. Instead, they puff it into the mutually shared air with all its contaminants unimpaired and intact.

The cigarette smoker is a little more considerate of his companions. So there is something to be said for the cigarette smoker and I've tried to say it.

Before I leave the topic of tobacco, I should like to draw to the attention of the Minister of Agriculture and Food (Mr. W. Newman) especially a recent resolution passed by the delegates of the 10-million-member United Methodist Church at its recent conference in the United States. It called upon the Department of Agriculture and other United States government agencies: "To plan for and assist the orderly, economic transition of the tobacco industry, growers, processor and distributors, into other more benign forms of production."

I should like to record a novel idea reported in the Toronto Star of yesterday, October 25, 1976.

Dr. R. J. Ginsberg, head of chest surgery at Toronto Western Hospital told the Ontario Thoracic Society over the weekend that all cigarette smokers should be required to be licensed and that older smokers, those over 45, should be required to be tested every six months before their licences could be renewed. Smokers in the 35 to 44 age group, he said, should be encouraged to take the tests but not compelled.

Dr. Ginsberg's licensing and testing plan stems from his great concern that far too many lung cancer cases are detected far too late. The suggested \$2 licence fee, plus a penny-per-pack tax would finance the enforced periodic checkup for the older smokers. A hundred thousand people in North America die of lung cancer every year, and



2,000 of them are in Ontario; so I urge the government, at least the Minister of Health (Mr. F. S. Miller), to consider seriously Dr. Ginsberg's recent novel proposal.

Large numbers of smokers would like to quit smoking, they tell me, and large numbers have tried to quit and have failed. There are several individuals and small organizations who are helping smokers to quit but even if they were 100 per cent successful, their total impact on this addiction would be minuscule. The Ministry of Health has an obligation here. Because of its prestige, its influence and its resources, it should be giving leadership in determining the most effective methods, training personnel to help people in every community to overcome this harmful, wasteful, destructive and noisome habit and then to publicize the importance and success of the best programmes. With a little initiative, the government could make a great contribution to the benefit of many thousands of Ontario families.

The other drug pushers whose ubiquitous advertising is especially annoying to me are the alcohol pushers. New information about the destructiveness of alcohol is reported almost monthly. In the medical literature of the last four years there are more than 50 articles now on one aspect alone, namely the fetal alcohol syndrome. When a pregnant mother drinks alcohol, the fetus drinks it too. Children born to an alcoholic mother show a wide range of effects, all of them adverse. Some fetuses do not survive the pregnancy. Some have birth defects. Some have central nervous malformations. Some are retarded in weight and height and even in head size. Some exhibit mental deficiencies. Some survive birth only for a short time.

**Mr. Reid:** They also grow up and become cabinet ministers.

**Mr. Burr:** And some actually have, at birth, what is usually described as the DTs. Medical explanations for the increase in reports of the fetal alcohol syndrome include these reasons: first, an increasing awareness of its existence on the part of many doctors; second, the lowering of the drinking age in many jurisdictions; and, third, the "seductive advertising of the liquor industry."

Although I have always favoured total abstinence as far as alcohol is concerned, nevertheless I have never advocated prohibition. Recently, after reading so many of the alarming medical reports, I wondered why this was the case. As far as I can tell, I have been brainwashed by the generally accepted cliché that prohibition was a failure.

**Mr. Reid:** Al Capone didn't think so.

**Mr. Burr:** As I recall the arguments, it was that prohibition was to blame for the creation of organized crime; therefore, it was a failure. I wonder whether anyone has ever thought of doing an audit on the advantages and disadvantages of prohibition in the United States and Canada. This audit would have to include such items as the estimated percentage of adults who drank during prohibition compared with the percentage today. It would include the percentage of teenage drinkers then and now, the number of alcoholics then and now, the number of teenagers on skid row then and now. Incidentally, a recent police report in Hamilton said there were 18 identified skid-row teenagers in that city. It would include the percentage of alcohol-caused auto accidents and auto fatalities then and now, and the percentage and frequency of other alcohol-involved homicides then and now. An estimate would be required for the frequency of fetal alcohol syndrome, then and now. In short, how many lives did alcohol end, shorten, abort or destroy in the days of prohibition compared with the present time? In other words, was the alleged failure of prohibition just a myth conceived and nurtured by the liquor industry? It would be interesting if someone did some research in this area.

[9:30]

I recall reading shortly after World War II a speech by a president of a distillery board of directors, or maybe it was the chairman of a distillers' convention. In any case, the gist of his speech was simply this: "A whole generation of young people has grown up on soft drinks. We have to go after that market." And go after that market they certainly have done—with such single-minded determination that in Ontario, as well as elsewhere, the Legislature in 1971 lowered the legal drinking age from 21 to 18. Of course, the legislation was packaged with other items and arguments, the chief of which was: "If our young people are old enough to be called upon to fight for their country at 18 they are old enough to vote."

It is true that all three parties supported the legislation which lowered the age of majority to 18, and perhaps all three parties had convention resolutions passed on the subject. Today we face the fact that this legislation, as far as the lowered drinking age was concerned, has proved to be disastrous for thousands of teenagers and their families. Only the alcohol pushers have benefited and their benefit has been only in a financial

sense. If they have a conscience, they must suffer from the knowledge of the countless tragedies they have caused. The increase in accidents and deaths involving impaired teenage drivers is so well known that I need merely mention them. Yet this legislation has done nothing to rectify the situation except to appoint a study group.

The government sets up committees to study the obvious; violence on television and teenage drinking. Many members have polled their constituents on restoring the drinking age to 21. I have yet to hear of a member who had a majority of his or her constituents opposed to returning the legal age for drinking to 21, either immediately or by a phasing-in method. This question should concern the Ministry of Health for health reasons; the Ministry of Community and Social Services for social reasons; the Ministry of Justice because of the increased workload for the police and for the courts; the Ministry of Consumer and Commercial Relations because of the higher auto insurance rates. In fact, it should concern every minister with any influence in the cabinet.

Life is tough enough for teenagers without alcohol. They don't need the additional problem of trying to cope with alcohol. It helps no one—physically, mentally, emotionally or socially. Why help the alcohol industry in its lust for profit at any cost? The very least the government should do is raise the drinking age to 19, 20 or 21 and the driving age to 17 or 18.

Every week in the year, somewhere in Ontario, some motorist or other has the traumatic experience of killing a pedestrian or another motorist. The more mature a person is the better he can cope with such an experience. Few 16-year-olds are mature enough to emerge unscathed from such an experience.

I should like the government to consider seriously phasing in 17 or 18 year age limits for driving licences, possibly with a few exceptions on compassionate grounds. This would help to reduce the number of drinking drivers and would save 16 or 17 year olds from the possibility of both causing fatal auto accidents and suffering the resulting trauma.

Incidentally, a Windsor clergyman came to see me not too long ago on this very matter, after two 16-year-old boys in separate accidents caused, or were felt responsible for, deaths, one of a pedestrian and the other of a motorist. From his experience in ministering to these two boys the clergyman was convinced that a young person of 16 is too young to run the risk of such a shattering

experience. I know there is widespread support for such a change, both among fathers who usually have to pay several hundred dollars additional car insurance and among mothers who have two extra years of lying awake at night awaiting the safe return of junior in the family car. Mr. Gallup might include this question in one of his frequent public opinion polls.

Since I prepared these remarks two or three days ago regarding the legal drinking age I've seen the latest statistics on motor vehicle accidents in Ontario. Over 27 per cent of all 16-year-old drivers in Ontario in 1975 were involved in auto vehicle accidents—over 27 per cent. When you think also of all the non-driving 16-year-olds who were involved in motor accidents you wonder whether it is safe for any 16-year-old to enter any motor vehicle.

In 1974 29.5 per cent of all 16-year-old licensed drivers in Ontario were involved in motor vehicle accidents. In other words, almost 30 per cent of the 16-year-old licensed driver group each year are involved in motor vehicle accidents. The 17-year-olds profit considerably by an extra year of age. In 1974 only 17 per cent of the 17-year-old drivers were in motor accidents, and in 1975 the figure was the same.

The statistics make it quite clear that the accident rate falls with increasing maturity. The combined 1974-1975 figures are worth putting on the record. I'll start at the beginning again.

These are the figures for 1974 and 1975: 28.4 per cent of all 16-year-old drivers had accidents; 17.7 per cent of all 17-year-olds; 17.8 per cent of all 18-year-olds; 16.5 per cent of all 19-year-olds; and 14.9 per cent of all the 20-year-olds. Then the statistics group the 21- to 24-year-olds, who had a figure of 12 per cent. The 25- to 34-year-old group, 8.5 per cent; the 35- to 44-year-old group, seven per cent; the 45- to 54-year-old group, 6.2 per cent; the 55- to 64, 5.5 per cent; and the 65 and over group, 4.7 per cent.

Of Ontario's 4.16 million licensed drivers, over 350,000 had accidents—a percentage of 8.44 per cent, which was approximately the average rate of the 25- to 34-year-old group. So when you see that year after year the 16-year-olds, as a group—not as individuals, but as a group—show that almost 30 per cent of them are involved in accidents, the conclusion is fairly obvious. Many 16-year-olds are not mature enough to drive. The difference in accident rates between those who are 17, 18, 19 and 20 years old is slight; there's scarcely any difference. But the difference



between the 16-year-olds and the 17-year-olds is alarming. Keep in mind, Mr. Speaker, that the ratio between the number of drivers aged 16, 17 and 18 is roughly one to three to four, an indication that only a few 16-year-olds are able to convince their parents that they are capable enough to apply for a licence. Of those parents who have been persuaded, almost 30 per cent guess wrong each year.

I should like to make a few brief remarks on the subject of unemployment which is a topic that is underdiscussed in this Legislature, it seems to me. Over the past three or four years, we have had about seven per cent unemployment in Canada. I assume that this means that 93 per cent of employable Canadians who are able and willing and wanting to work have jobs. Many of these 93 in every 100 are doing far more work than they should be doing. There is so much overtime work being done by some that these 93 could easily share their work with the other seven without anyone's health suffering at all.

Why is there so much overtime work? Simply because it is cheaper for most companies to pay time and a half and even double overtime to their regular workers than to hire more regular workers and pay the extra fringe benefits. I have talked with many auto workers about this matter and I have yet to meet one who does not feel that the work should be shared.

In 1946, Chrysler workers had a 4½-month strike over the 40-hour week. Although that was 30 years ago, one Chrysler worker told me recently that he has worked fewer than 50 of these 40-hour weeks in all those 30 years. The 40-hour week is still a dream.

The Ministry of Labour is partly to blame for this situation. As each new Minister of Labour is appointed, I or my colleague from Windsor West have pointed out this situation whereby the Ministry of Labour repeatedly grants permission to the auto companies to work the men for more than 100 hours of overtime a year. Some men get in 100 overtime hours a month, 1,200 a year.

Each new minister expresses disbelief and sometimes indignation but each new minister keeps signing these overtime permits. Consequently, some men work themselves to death while others, lacking work, are destroyed by unemployment.

It is true that many individual workers survive and benefit financially but is this the kind of society we want? Is this the kind of society that we can tolerate? A society in which 93 men and women perform 100 jobs

while seven remain in soul-destroying idleness, vilified, humiliated and stripped of human dignity.

Spreading the work is not an impossible dream. It is the only practical answer to the unemployment problem. The Ontario government can and should make a contribution by eliminating overtime and, if necessary, reducing the work week, perhaps by only three or four percentage points.

Finally, I should like to express my personal opposition to the taxing of property owned by non-profit charitable organizations, by churches and schools, both public and private. One proposal before the Blair Commission would almost certainly mean the end of all private schools in Ontario. Simultaneously, it would mean a large tax boost for many communities if all the students now taught in private schools had to be supplied suddenly with buildings, teachers, etc., at the public expense. This latter possibility must strike terror into the heart of our austere Treasurer with his austerity programme. Even the assessment of public school properties, with the taxes being paid by the province, is an unnecessary and costly task for the assessors. We all know that if the Minister of Education gives extra grants to municipalities to pay for property taxes on schools, the Treasurer simultaneously will cut the grants that he gives to municipalities.

[9:45]

This whole proposal is needlessly upsetting large numbers of citizens. In fact, the whole idea of uniform provincial assessment has been a most expensive exercise that has produced no worthwhile results. Each municipality used to assess its own properties according to its own scale or formula. So long as that formula was followed fairly for all property owners within the municipality, what did it matter to anyone else in any other municipality how high or how low the mill rate was? Unfortunately, I think some fastidious bureaucrat noticed that some municipalities had a 30-mill tax rate while others had a 60-mill tax rate. It did not matter to him that the assessment standard or formula in the first municipality was more than twice as high as in the second, but it offended his sense of tidiness and he decided that market value assessment all over the province of Ontario should be used as the basis for local municipal taxation. The result has cost Ontario millions of dollars, and I suspect that the Blair commission will turn out to be a similar worrisome waste of time and money.

Fortunately—just to end on a cheerful note—in this morning's Globe and Mail the Premier (Mr. Davis) is quoted as saying, "In no way will the (new) tax structure inhibit the operation (of the private schools)." A further quote from the Globe and Mail news report: "A source in the Ministry of Revenue said that Mr. Davis's words suggested to him that the Premier would not allow tax reforms to financially jeopardize separate and private

schools, although just how the government could amend the proposals is still in doubt."

Mr. Speaker, there was one other topic that I wanted to speak on in this debate but I haven't completed my research on it.

On motion by Mr. Burr, the debate was adjourned.

On motion by Hon. Mr. Handleman, the House adjourned at 9:48 p.m.

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